

(N)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 574/95

New Delhi this the 26th day of May 1995

Hon'ble Shri N.V.Krishnan, Vice-Chairman(A)

Hon'ble Dr.A.Vedavalli, Member(J)

J.D.Khanna,
S/o Late Sh. Hukam Chand Khanna,
R/o C-44, Balj Nagar, New Delhi.

....Applicant

(By Advocate Sh. P.P.Sharma)

Versus

1. Chairman
Railway Board,
Ministry of Railways
Govt. of India,
New Delhi.
2. General Manager,
N.Railway, Baroda House,
New Delhi.
3. Divl. Rly. Manager,
N.Rly, New Delhi.

....Respondents

(By Advocate: None)

ORDER(Oral)

Hon'ble Shri N.V.Krishnan, Vice-Chairman(A)

We have heard the learned counsel. The applicant is aggrieved by Annexure-A letter dated 20-10-94 of the DRM Delhi (i.e. 3rd respondent) in which the applicant has been informed in reply to his Annexure A-2 representation dated 12-9-94 that they had already informed him by the letter dated 21-12-62 that, on request transfer, he will have seniority below all officiating or confirmed employees.

2. The Annexure A-2 representation shows that on his voluntary transfer to Northern Railway from Eastern Railway, his date of confirmation viz 1.12.55 in Eastern Railway, has not been maintained and no benefits given. Representation given

u




from 22.9.62 to 5.7.94 are of no avail.


3. He has also a grievance that his junior D.N. Choudhary has been promoted ahead of him as Asstt. Suprintendent. He represented in this regard from 16.2.82.

4. The applicant prays for a declaration that he is entitled to promotion in the grade of Rs. 1640-2900 earlier with consequential benefits.

5. In reply to our query, the learned counsel could not point out to any averment in the OA to the effect that the applicant did not receive the earlier reply dated 21.12.62 which is at Annexure A-3. It states that the intrepertation placed by the applicant was not correct and as such he was ranked junior to all confirmed and temporary staff and is not entitled for the suitability test.

6. Admittedly, that position continued from 1962. It is stated that the respondents did not reply to the many representations given by the applicant reference to which is given in para-7. We are of the view that this cause of action arose more than 30 years back, so is the other cause of action which arose before 16-2-82. This court has no jurisdiction in such matters. OA is, therefore, dismissed.


(Dr. A. Vedavalli)
Member(J)


26/5/85
(N.V. Krishnan)
Vice-Chairman(A)

cc.