

Central Administrative Tribunal
Principal Bench: New Delhi

OA No.1465/96

New Delhi this the 16th day of August 1996.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr R.K.Ahooja, Member (A)

Girdhari Lal
S/o Late Bansi Lal
R/o 176 Rouse Avenue Road
New Delhi.

...Applicant.

(By Sh.J.Banerjee, advocate)

Versus

Union of India through

1. The Secretary
Ministry of Urban Development
Nirman Bhawan, New Delhi.

2. The Director
Directorate of Printing
Ministry of Urban Development
Nirman Bhawan, New Delhi.

3. The Manager
Govt. of India Press
Minto Road
New Delhi.

...Respondents.

(None)

O R D E R (Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

The grievance of the applicant who retired from service on 30.4.94 is that though he was also entitled, he was not given in-situ promotion though his juniors were given. His representation for such a promotion was turned down on 8.8.94. Stating that he made further representation, he has filed this application praying that the order dated 14.7.95 by which his repeated representation was rejected be set aside and the respondents may be directed to grant the applicant the benefit of in-situ promotion.

2. We have perused the application and heard Sh. J.Banerjee, learned counsel for the applicant. We are of the considered view that the grievance of the applicant is stale and cannot be revived. His representation claiming in-situ promotion, according to him, was rejected on 8.8.94. The fact that he has made repeated representation which was unsuccessful does not survive a dead cause of action. It has been held by the Hon'ble Supreme Court in AIR 1990 SC 10 S.S. Rathore Vs. State of M.P. that repeated unsuccessful representation does not revive time-barred cause of action. Therefore, we reject this application under Section 19 (3) of the Administrative Tribunals Act. The MA also stands disposed of.


(R.K.Ahooja)
Member (A)


(A.V.Haridasan)
Vice Chairman (J)

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