

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

14

D.A. 76/96

New Delhi this the 22nd day of November, 1999.

Hon'ble Mr. Justice V. Rajagopala Reddy, VC(J)

Hon'ble Smt. Shanta Shastri, M(A).

Gokul Dev
S/o Late Sh. Hari Ram
R/o House No. 561/25 Vijay Park,
Moj Pur, Shahdara,
Delhi.

.... Applicant

(By Advocate none)

Versus

1. Union of India through its
Secretary,
Ministry of Communication,
Deptt. of Telecommunication,
Delhi.

2. The Chief General Manager,
Telecommunication, U.P. Circle

3. The General Manager,
Telecommunication, Kanpur,
Distt. Kanpur.

4. Chief General Manager,
Telecommunication, Dehradun Respondents

(By Advocate Shri S.M. Arif)

ORDER (Oral)

By Reddy, J.-

On the last occasion i.e. on 6.11.99 the matter was adjourned for 16.11.99. When the case is called today none appeared for the applicant. Heard the counsel for the respondents.

2. Since the matter is of 1996 we have perused the records for disposal.

3. A preliminary objection has been raised by the learned counsel for respondents stating that the DA is barred by limitation. It is contended by the ld. counsel for the respondents that the cause of action for the



applicant arose in 1974 as the applicant is seeking notional promotion w.e.f. 1.6.74 the date on which the applicant's junior was promoted.

4. The applicant has been retired on 31.10.92. The applicant is seeking relief for a direction for notional promotion w.e.f. 1.6.74 the date on which his juniors have been promoted. An MA has been filed by the applicant for condoning the delay for not filing the OA when the cause of action arose in 1974.

5. We have perused the application filed by the applicant but he has not given any reason for the delay in filing the OA after about 14 years. It is also seen that the applicant had retired on 31.10.92 even after his retirement there was no good reason for not filing the OA immediately thereafter.

In the circumstances the OA is barred by limitation as it is hit by Section 21 of the A.T. Act. The OA is accordingly dismissed. No costs.

Shanta Shastri
(SMT. SHANTA SHASTRY)
M(A)

V. Rajagopala Reddy
(V. RAJAGOPALA REDDY)
VC(J)

RB.