

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

OA.1054 of 1994
with
MA.1522 of 1994

New Delhi, dated this the 6th of June, 1994.
Shri N.V. Krishnan, Hon. Vice Chairman(A)
Shri C.J. Roy, Hon. Member(J)

Shri Kripal Singh
S/o Shri Shiv Singh,
R/o Village Afohn,
Post Ratapuri,
Distt. Almora,
State U.P.

...Applicant

By Advocate: Shri K.N. Srivastava.

versus

1. The Lt. Governor(Admn.)
Through Chief Secretary,
Old Secretariat, Delhi.
2. The Commissioner of Police,
M.S.O. Building, I.T.O.
New Delhi.
3. The Principal,
Police Training School,
Jharoda Kalan, New Delhi.
4. The Union of India,
Through Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi.

...Respondents

By Advocate: None.

O R D E R (Oral)

By Hon. Shri N.V. Krishnan

Heard the learned counsel for the applicant.
The applicant was a Cook under respondent No.3,
the Principal, Police Training School, Jharoda
Kalan, New Delhi. His services were terminated
by an order dated 7.9.90 passed by the respondent
No.3 under sub-rule-1 of Rule-5 of the CCS
(Temporary Services) Rules, 1965. Apparently,
he submitted a representation to the Commissioner
of Police. That representation is not filed
with this OA. However, he has been informed by

...2...

Annexure-G letter dated 17.12.90 that his representation regarding reinstatement in service has been considered by the Commissioner of Police and rejected.

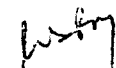
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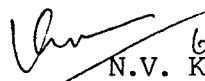
2. Subsequently, the applicant states that he filed an appeal to the Lt.Governor of Delhi on 10.2.91 (Annex.H). As no reply was received, he sent an appeal to the Home Minister and Social Welfare Minister on 15.6.92 and 15.2.93 (Annexure-I). This was followed by the representation to the President of India on 7.12.93 (Annex.J). Having not received any reply, this OA has been filed to quash the impugned Annexure-A order dated 7.9.90 terminating his services. The OA has been filed on 9.5.94.

3. The applicant has also filed an MA.1522/94, seeking condonation of delay. We have heard the learned counsel for the applicant. It is stated that the applicant was expecting replies from the authorities to whom he submitted his representations and when he found that no replies were forthcoming, he filed this OA seeking condonation of delay.

4. We are of the view that as the representations made and the so called appeals preferred are not provided for by any statutory rules, these representations do not help in extending the limitation for seeking relief before the appropriate forum. Therefore, we hold that the cause of action arose when the services were terminated on 7.9.90, or, at any rate on 17.12.90, when the representation to the Commissioner of Police was rejected. In this view of the matter, we find that the OA is hopelessly barred by limitation.

5. MA for condonation of delay is accordingly dismissed. Consequently, the OA is also dismissed.


(C.D. ROY)
MEMBER (J)
6.6.94


6.6.94
N.V. KRISHNAN
VICE CHAIRMAN (A)
6.6.94