

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No. 1704/1994

New Delhi this the 13th Day of September, 1994

Hon'ble Shri J.P. Sharma, Member (J)

Hon'ble Shri B.K. Singh, Member (A)

Shri Mangu Singh,
WZ/319,
A/80 Ganj Harijan Colony,
Tilak Nagar,
New Delhi.

... Applicant

(By Advocate: Shri Imtiaz Ahmad)

Vs.

1. Union of India
through Secretary Ministry of
External Affairs,
Akbar Bhawan,
Chanakyaपुरी,
New Delhi.

2. Administrative Officer (PE),
Ministry of External Affairs,
Akbar Bhawan, Chanakyaपुरी,
New Delhi.

... Respondents

ORDER (Oral)

Hon'ble Shri J.P. Sharma, Member (J)

The case of the applicant is that he was employed in the Ministry of External Affairs on daily wages as casual labour as a sweeper sometime in the year 1985 from October and was discharged in March 1987. The applicant then was again engaged at the residence of the Hon'ble Minister for State in September 1988 and worked there till May 1989. The applicant in this application has only assailed an order by which the application of the applicant for appointment to the post of Peon has been rejected.

2. We have considered the contention of the learned counsel. Firstly, the application is hopelessly barred by limitation as provided under Section 21 as well as by delay and laches. The contention of the learned counsel

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is that he has been making representations to the respondents in the hope that his representation repeatedly made may be favourably considered by the respondents themselves. He did not like to assail his grievance before the judicial forum. The repeated representations made by the applicant do not enlarge the statutory period provided under Section 21 of the AT Act, 1985. The law has been clearly laid down in S.S. Rathore Vs. State of M.P. AIR 1990 SC P 10.

2. We also find that the applicant has no prima facie case. The applicant has worked with the Hon'ble Minister for certain period at his residence then only the appointment made specifically by the Minister concerned though the appointment would have been made from the Ministry. Thus, the applicant has no case. The application, therefore, dismissed as barred by time as well as not making out a prima facie case under Section 19(3) of the AT Act 1985.

(B.K. Singh)
Member(A)

James.
(J.P. Sharma)
Member(J)

Mittal