

Central Administrative Tribunal
Principal Bench: New Delhi

O.A. No.1219/2000

9

New Delhi this the 6th day of July, 2000

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. V.K. Majotra, Member (A)

Ghanshyam Dutt Mishra
S/o Shri Balmukand Mishra
R/o Block No. 86/2, Sector 1,
Pushpa Vihar, New Delhi-17

...Applicant

(By Advocate: Shri C.B. Garg)

Versus

Union of India through its

1. Secretary to the Government of India,
Ministry of Home Affairs,
Department of Official Language,
Lok Nayak Bhawan, Khan Market, new Delhi

2. Director,
Central Translation Bureau,
Ministry of Home Affairs,
Department of Official Language,
8th Floor, Paryavaran Bhawan,
C.G.O. Complex, Lodhi Road,
New Delhi.

...Respondents

ORDER (Oral)

By Justice Ashok Agarwal, Chairman

Applicant was promoted from Group-D post to the post of Lower Division Clerk on ad hoc basis on 14.3.86. His promotion was regularised w.e.f. 10.9.92 by an order passed on 15.9.92. By the present OA, applicant claims the aforesaid promotion from the year 1984 when the vacancy in respect of 5% promotion quota reserved for Group-D employees ^{as on} on the basis of seniority-cum-fitness arose or, in any event, from 14.3.86 - when he was promoted on ad hoc basis.

W.J.

2. In our judgment, the present application is hopelessly barred by limitation. Applicant had been ^{w.e.f 10.9.92} given promotion on regular basis by an order passed way back on 15.9.92. His cause of action to institute the present OA arose when the aforesaid order was issued. Repeated unsuccessful representations not provided by law would not extend the period of limitation. (S.S. Rathore Vs. State of M.P. AIR 1990 SC 10 = 1989 (11) ATC 913).

3. In the circumstances, present application is dismissed as being barred by limitation.

V.K. Majotra
(V.K. Majotra)

Member (A)

Ashok Agarwal
(Ashok Agarwal)

Chairman

CC.