

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1314/2000

Wednesday, this the 21th day of November, 2001

(19)

Hon'ble Shri S.A.T. Rizvi, Member (Admn)

1. Arshad Tasleem Ansari,
S/o Shri Tasleem Ahmad
R/o L-17, Batla House,
Near Masjid Khalilullah
Jamia Nagar,
New Delhi - 110 025
2. Surender Kumar Gaur,
Son of Sh. Jagdeesh Prasad,
R/o 398-B, Arya Nagar,
Railway Colony
Ghaziabad
U.P.

... Applicants

(By Advocate : None)

Versus

1. The Union of India
Through Ministry of Railways
Rail Bhavan
New Delhi
2. The General Manager,
Northern Railway
Baroda House
New Delhi
3. The Chief Administrative Officer (Construction)
Northern Railway
Kashmere Gate
Delhi-110 006
4. The Deputy Chief Engineer (Construction)
Northern Railway
State Entry Road,
New Delhi

.. Respondents

(By Advocate : Shri R.L. Dhawan)

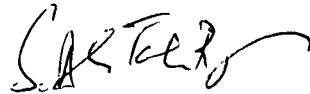
O R D E R (ORAL)

Heard the learned counsel for the respondents.
Since none ~~is~~ ^{is} present on behalf of the applicants I
proceed to decide this OA in terms of rule 15 of the CAT
(Procedure) Rules, 1987.

(2) 20

2. The learned counsel appearing on behalf of the respondents has assailed the present OA on the ground of limitation by submitting that the cause of action in this case arose on 15.1.1997 (Annexure-D) when the applicants' representation was rejected by stating that those who had acquired higher technical qualification during the period of casual services will not be eligible for advance increments in accordance with the relevant circular. It appears from the rejoinder filed on behalf of the applicants that they kept on representing in the matter and their further representation had been disposed of by respondents' letter dated 8.4.1999 (Annexure-F) by stating that the benefit of CAT's judgement in Manohar Balani's case cannot be extended to the applicants and the aforesaid judgement would apply only to the applicants in that OA, namely, to Shri Manohar Balani. The learned counsel submits that the present OA which has been filed on 4.7.2000 has been filed belatedly after a lapse of more than one year from 8.4.1999 on which date the cause of action could be said to have arisen once again. Thus, the present OA is barred by limitation and deserves to be dismissed.

3. I have considered the submissions made by the learned counsel and find myself in agreement with the stand taken by the learned counsel. The OA is time barred and is dismissed.


(S.A.T. RIZVI)
Member(A)

/pkr/