

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO.1355/2000
M.A. NO.1701/2000

New Delhi this the 24th day of July, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI V. K. MAJOTRA, MEMBER (A)

Vijender Kumar
S/o Shri Balbir Singh
R/o Village & Post Office: Issapur
P.S. Jaffarpur Kalan
New Delhi-110 073) Applicant

(By Advocate Shri C.R. Hati)

-Versus-

NACT of Delhi through its
Chief Secretary
through
Commissioner of Police, Delhi
Police Headquarter,
MSO Building
I.P. Estate
New Delhi. Respondent

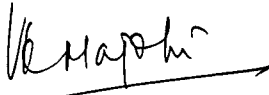
O R D E R (ORAL)

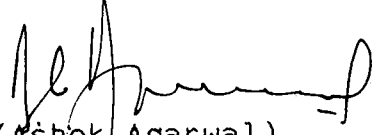
Shri Justice Ashok Agarwal :

Though applicant appears to have been recruited in the Delhi Armed Police force way back on 2.7.1986, he does not appear to have reported for duty. All that he has been doing is to make representations. He has annexed at Annexure 'A' a refusal of his representation he had made on 7.1.1998. The same had not found favour with the respondent as the same had been made belatedly after 12 years. Even the present OA, we find is time barred. The order of 24.7.1998 is sought to be impugned by instituting the present OA on 2.6.2000. The Supreme Court in the case of Ex Capt. Harish Uppal v. Union of India & ors., JT 1994 (3) S.C.126 has observed that the parties should pursue their rights and remedies promptly and not sleep over their rights. If they choose to sleep over their

rights and remedies for an inordinately long time, the court may well choose to decline to interfere in its discretionary jurisdiction under Article 226 of the Constitution of India. The Supreme Court in the case of **P.K. Ramachandran v. State of Kerala & anr.**, JT 1997 (8) S.C.189 has observed that the law of limitation may harshly effect a particular party but it has to be applied with all its rigour when the statute so prescribes and the Courts have no power to extend the period of limitation on equitable grounds. Furthermore, the Supreme Court in the case of **S.S.Rathore vs. State of Madhya Pradesh**, AIR 1990 S.C.10 has observed that repeated representations do not extend limitation.

2. In view of the aforesaid decisions and the attendant facts, present OA is rejected. Similarly MA No.1701/2000 which seeks condonation of delay in preferring the OA is also rejected.


(V.K. Majotra)
Member (A)


(Ashok Agarwal)
Chairman

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