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**CENTRAL ADMINISTRATIVE TRIBUNAL,  
MUMBAI BENCH, MUMBAI**

**ORIGINAL APPLICATION No.216 OF 2020**

**Dated this Monday, the 07<sup>th</sup> day of September, 2020**

**CORAM: R.VIJAYKUMAR, MEMBER (A)  
RAVINDER KAUR, MEMBER (J)**

Dr. T. Dharmaraj, Scientist  
Indian Institute of Tropical Meteorology  
Pashan Road, Pune 411 008 (M) 9850934328  
Email : [dharmalak@rediffmail.com](mailto:dharmalak@rediffmail.com).  
(By Advocate Shri K.P.Anil Kumar)

- Applicant

**Versus**

1. Union of India through The Secretary,  
Ministry of Earth Sciences, Prithvi Bhavan,  
Lodhi Road, New Delhi 110 003.
2. Chairman, Governing Council of IITM,  
Prithvi Bhavan, Lodhi Road, New Delhi 110 003.
3. Director, Indian Institute of Tropical Meteorology,  
Dr. Homi Bhabha Road, Pashan,  
Pune 411 008.

- Respondents

**ORAL ORDER**

**Per : R.Vijaykumar, Member (A)**

This matter was heard today through videoconference, with the consent of the learned counsel for the applicant.

2. Heard the learned counsel for the applicant on the issue of limitation which is a primary aspect that has to be considered by this Tribunal before proceeding with the consideration by the Bench as laid down by the Hon'ble Apex Court.

3. The applicant was initially passed over for promotion in 2016 in orders dated 09.08.2016 (Annexure A-4) after which, based on representation, he was conferred promotion, but subsequently, based



on instructions from the Government dated 07.04.2017 (Annexure A-6), the respondents issued orders on 19.04.2017 (Annexure A-1), reverting the applicant and two other persons of his cadre to their respective positions. The applicant then filed a representation dated 19.09.2016 but did not pursue the matter until 02.12.2019 prior to filing of this OA on 07.02.2020.

4. The learned counsel for the applicant was inquired as to reasons for delay beyond the permitted period of 18 months from date when he filed the first representation opposing the reversion and for which, the learned counsel submits that the applicant was expecting favourable orders from Government and did not wish to tarnish the institution. It is trite law that if an applicant does not pursue his grievances diligently, he cannot seek the benefit under law and especially in cases of promotion, he cannot seek to unsettle matters that have already become settled, after a long period of time. It is also a settled law as laid down in State of MP Vs. Rathore that repeated representations do not enable an applicant or petitioner to extend the period of limitation.

5. In the aforesaid circumstances, it is clear that this OA is seriously affected by limitation and on this basis, the OA is dismissed as barred by limitation. No costs.

(Raviñder Kaur)  
Member (Judicial)

(R. Vijaykumar)  
Member (Administrative)

kmg\*

RD 1/2/20