

6

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

....

Regn. No. D.A. 24/86.

Shri H.C. Sharma

.. Applicant

Vs.

Union of India

.. Respondent.

Shri R.L. Sethi, counsel for the applicant.

Shri N.S. Mehta, Standing counsel for the Respondent.

28.1.1987

In this case, the applicant has challenged

his non-inclusion in the select panel prepared by the Union Public Service Commission for the post of Group 'B' Stenographer either in the list for the year 1978 or for the year 1979 and consequent non-appointment to the said post. Thus, the grievance of the applicant is in relation to something which took place in the year 1978 or 1979. Even assuming that the applicant can take advantage of the actual order of appointment made on the basis of the select list prepared by the Union Public Service Commission, the select list for the year 1979 was published on 10.12.1980 and appointments from the said select list were made from 31.1.1981 upto June, 1982. Thus, the cause of action, even after taking June, 1982 as the basis, is beyond the period of three years before the establishment of this Tribunal under the provisions of the Administrative Tribunals Act, 1985. The applicant <sup>may</sup> say that he made representations to the Cadre authorities. All those representations are still pending consideration. The representation is not, admittedly, a statutory representation,

for the Rules do not provide for an appeal against one's non-selection or non-appointment. The fact that he made some representations which are not contemplated by the statutory rules will not enable the applicant to count the period of limitation from the date of alleged representation made by him to the Cadre authorities. In this view of the matter, we are of the view that the application filed before the Tribunal in January, 1986 is belated in view of Section 21 of the Administrative Tribunals Act, 1985. Hence, the application is not admitted.

28/1/87  
(Birbal Nath)  
Member  
28.1.1987

93  
(G.Ramanujam)  
Vice-Chairman  
28.1.1987