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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

OA 339/86

P.L. Sharma . . . . Applicant

Vs.

Union of India . . . . Respondent

ORDER :

Heard the applicant in person and Mrs. Raj Kumari Chopra for the respondents. In our opinion, this Tribunal have no jurisdiction to entertain this matter as the cause of action arisen before 1.11.1985. The applicant was appointed as Senior Investigator in the Department of Statistics. The next promotion from that post is that of Assistant Director. In 1976 the applicant was not promoted to that post, though some of his juniors were promoted. He made representation on 5.7.1977. He was informed that his case was considered and he was not selected. Another representation made by him and it was rejected on 28.1.78. Applicant made his third representation in 1979 and he was informed on 12.9.1979 the representation was also rejected. It appears that subsequently the applicant was promoted to the post of Assistant Director. He wants seniority in the grade of Assistant Director on the basis of notional promotion in 1976. His contention is that his promotion was wrongly withheld when other persons were promoted in 1976 and therefore he should be given seniority in the present post of Assistant Director with effect from 1976. A representation in this respect was made by the applicant and it was rejected on

*BCL*

18.6.83 on the account that no new ground was given by the applicant. The applicant's contention is that cause of action for filing the application arose on 18.6.83.

In our opinion, this would not be the position. The reply dated 18.6.83 is a re-statement on the part of the Government that the matter has already been considered previously in 1978 and 1979 and Government does not intend to re-consider the matter again.

In the background of this decision, we think that the grievance of the applicant ~~was~~ really arose in 1976 and secondly, it would be very difficult for the applicant to contend that he can approach this Tribunal on the basis of formal rejection of of his representation on 18.6.83. Therefore, the application is dismissed on the ground that Tribunal has no jurisdiction to entertain this matter. No orders as to costs.



(SP. MUKERJI)  
ADMINISTRATIVE MEMBER  
8.10.86



(B. C. GADGIL)  
VICE-CHAIRMAN (JUDICIAL)  
8.10.86