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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

O.A. No. 491
T.A. No.

1986

DATE OF DECISION July 21, 1986.

Shri Husan Singh

Petitioner

In person.

Advocate for the Petitioner(s)

Versus

Commissioner of Police,
Delhi & Others.

Respondent

None.

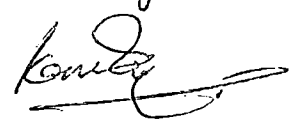
Advocate for the Respondent(s)

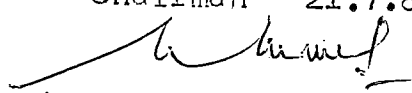
CORAM :

The Hon'ble Mr. Justice K. Madhava Reddy, Chairman.

The Hon'ble Mr. Kaushal Kumar, Member.

1. Whether Reporters of local papers may be allowed to see the Judgement? *yes*
2. To be referred to the Reporter or not? *yes*
3. Whether their Lordships wish to see the fair copy of the Judgement? *No*
4. Whether to be circulated to other Benches? *yes*


(K. Madhava Reddy)
Chairman 21.7.86.


(Kaushal Kumar)
Member 21.7.86.

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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
DELHI.

REGN. NO. OA 491/86.

July 21, 1986.

Shri Husan Singh

Petitioner

Versus

Commissioner of Police, Delhi & others..... Respondents.

CORAM:

Shri Justice K.Madhava Reddy, Chairman.

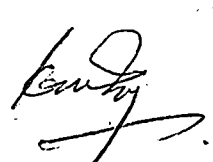
Shri Kaushal Kumar, Member.

For petitioner In person.

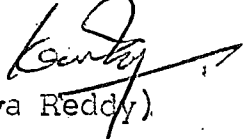
(Judgment of the Bench delivered by
Shri Justice K.Madhava Reddy, Chairman).

In this petition under Section 19 of the Administrative Tribunals Act, 1985, the petitioner claims that he should be given "ante dated seniority and all the accrued benefits in the rank of A.S.I." as also the ante-dated seniority legally due to him in the rank of Head Constable. He made several representations to this effect and the last such representation was rejected on 21.11.1980. Thus the matter stood concluded before the constitution of this Tribunal. After the constitution of this Tribunal w.e.f. 1.11.1985, the petitioner made a further representation and that was also rejected on 11.12.1985. Now he has moved this Tribunal for redressal of his grievance and claims that this petition is within time on the ground that it is filed within one year of the order dated 11.12.1985 as contemplated by Section 21(3) of the Administrative Tribunals Act which reads as follows:

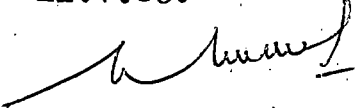
"Notwithstanding anything contained in sub-section (1) or sub-section (2), an application may be admitted after the period of one year specified in clause (a) or clause (b) of sub-section (1), or, as the case may be, the period of six months specified in sub-section (2), if the applicant satisfies the Tribunal that he had sufficient cause for not making the application within such period".

 -----2.

The representation made by the petitioner having been rejected on 21.11.1980, any grievance in respect of that order cannot be subject matter of any petition filed for the first time before the Tribunal under Section 19. Such a petition would be beyond the period of limitation prescribed under Section 21(3) of the Act. Merely because the petitioner has chosen to file a further representation on 1.11.1985, for which there is no provision under the Service Rules neither the period of limitation stands extended, nor does this Tribunal acquire jurisdiction in respect of a matter finally disposed off before 1.11.1982. This petition is not entertainable under Section 19 of the Act. It is accordingly dismissed.


(K. Madhava Reddy)
Chairman

21.7.86.


(Kaushal Kumar)
Member

21.7.86.