REGN.NO. O.A. 1371/87.   DATE OF DECISION: 18.1.1993

Chetan (N).   .... Petitioner.

Versus

Union of India & Ors.   .... Respondents.

CORAM:

THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. I.K. RASGOTRA, MEMBER(A).

For the Petitioner.   .... None.

For the Respondents.   .... Shri P.S. Mahendru,
                                  Counsel.

JUDGEMENT (ORAL)

(By Hon'ble Mr. Justice V.S. Malimath,
Chairman)

None appeared for the petitioner. Shri P.S. Mahendru,
Counsel, was present on behalf of the respondents. As this is
a very old matter, we consider it appropriate to peruse the
records, hear the learned counsel for the respondents and dispose
of the case on merits.

2.   Consequent upon the transfer of the petitioner, he did
not vacate the quarter. On the ground that he has unauthorisedly
detained the quarter, a departmental inquiry was initiated against
him as per charge-sheet dated 14.10.1982. As He was kept under
suspension, with the result he did not get full emoluments. It
is in this background that the petitioner approached this Tribunal
seeking quashing of the order of suspension as also the chargesheet
issued against him. He has also sought consequential refund of
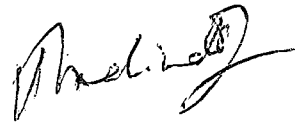the emoluments due to him.

3.   It is obvious that the cause of action accrued to the
petitioner in the year 1982 when he was kept under suspension and

the chargesheet issued against him. This petition has been filed on 16.9.1987. Having regard to sub-section(2) of Section 21 of the Administrative Tribunals Act, 1985, this Tribunal has no jurisdiction to entertain the petition in regard to the matter in respect of which cause of action had accrued prior to three years of the date of constitution of the Tribunal. As the cause of action in this case had accrued in the year 1982, we have no jurisdiction to entertain this petition. Hence, this petition fails on this short ground. It is accordingly dismissed. No costs.

(I.K. RASGOTRA)
MEMBER(A)

(V.S. MALIMATH)
CHAIRMAN

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