

In the Central Administrative Tribunal

Principal Bench: New Delhi

OA No.164/87

Date of Decision:4.8.92

Shri Husan Singh

...Applicant

Versus

Commissioner of Police

...Respondent

Coram:-

The Hon'ble Mr. Justice V.S. Malimath, Chairman

The Hon'ble Mr. I.K. Rasgotra, Member (A)

For the applicant

None

For the respondent


Shri B.R. Prashar, Counsel.


Judgement (Oral)

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

None appeared for the petitioner when this case was taken up. Shri B.R. Prashar, learned counsel appeared for the respondent and submitted that the applicant had approached this Tribunal with the identical reliefs on an earlier occasion in OA 491/86. That Application came to be dismissed on 21.7.1986 holding that the Application is not maintainable. The rights of the petitioner stood concluded when his representation was rejected on 21.11.80. It is held that the mere fact that he chose to file a further representation on 1.11.1985 and on rejection of the same he came to the Tribunal would not confer jurisdiction to entertain the Application. The Application was dismissed on the ground that the Tribunal has no

jurisdiction to entertain the grievance of the applicant in regard to the matter that stood concluded in the year 1980. The applicant has now sought identical reliefs by filing an application for condonation of delay. The question of condonation of delay does not arise, as the Tribunal has already held in OA 491/86 that the Tribunal has no jurisdiction to entertain the grievance of the applicant in regard to the matter which stood concluded in November, 1980. Hence, in view of the earlier judgement of the Tribunal in OA 491/86 delivered on July 21, 1986 this Application is dismissed. No costs.

  
(I.K. Rasgotra)  
Member(A)

  
(V.S. Malimath)  
Chairman

August 4, 1992.

skk