

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

* * *

O.A. NO. 243/87

DATE OF DECISION : 14.03.1992

Shri L.C. Sharma

...Petitioner

Vs.

Union of India & Ors.

...Respondents

CORAM

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

Hon'ble Shri J.P. Sharma, Member (J)

For the Petitioner

...None

For the Respondents

...None

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?

JUDGEMENT (ORAL)

(DELIVERED BY HON'BLE SHRI I.K. RASGOTRA, MEMBER (A))

The petitioner herein was working as Economic Investigator on ad-hoc basis in Grade-IV of the Indian Economic Service. He continued in that grade till 31.7.1979 when he retired on attaining the age of superannuation. He has prayed for extending the relief granted by the Hon'ble Supreme Court to Narender Chadha and others in CMP No.2604/85 and WP No.1595/79 decided on 11.2.1986. The respondents in their reply have taken the stand that the Writ Petition No.1595/79 in Narender Chadha Vs.

Union of India was filed on 5.12.1979 by the petitioner therein. The same was decided by the Hon'ble Supreme Court on 11.2.1986. The petitioner in the present OA on the other hand superannuated w.e.f. 31.7.1979, i.e., much before the date of filing the said Writ Petition. It is, therefore, their contention that the orders of the Hon'ble Supreme Court in the said Writ Petition are not applicable to the petitioner.

2. We have considered the matter and are not inclined to interfere in this case firstly because the petitioner retired from service on 31.7.1979 more than a decade ago. Further he chose to file this application only on 19.2.1987 when according to Section 21 of the Administrative Tribunals Act, 1985, he should have come to the Tribunal after filing a representation with the respondents for nonextension of the benefit of the Hon'ble Supreme Court's decision to him and in case no decision was communicated to him within a period of six months immediately thereafter. In these circumstances, we are of the view that the matter is barred by limitation as prescribed under Section 21 of the Administrative Tribunals Act, 1985 and accordingly the OA is dismissed as time barred. No costs.

(J.P. SHARMA)
MEMBER (J)

(I.K. RASGOTRA)
MEMBER (A)