

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No.158 of 1990

New Delhi this the 18th day of July, 1994

Mr. Justice S.K. Dhaon, Acting Chairman
Mr. B.N. Dhoundiyal, Member(A)

Shri Jaggu Lal
R/o K-119, J.J. Colony, Shakurpur,
New Delhi-110034.

.....Applicant

By Advocate Shri K.I. Sharma

Versus

1. Union of India
through the Secretary,
Min. of Health and Family
Welfare,
Government of India,
Nirman Bhavan,
New Delhi-110011.
2. Medical Superintendent,
Dr. Ram Manohar Lohia Hospital,
New Delhi.

.....Respondents

None for the respondents

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Acting Chairman

A counter-affidavit has been filed to this O.A. and a rejoinder-affidavit too has been filed.

2. The undisputed facts are these. The applicant rendered service to the respondents for 6 years and 10 months in all till 1983 but in broken periods. His services were terminated in the year 1983. In the year 1977, the respondents regularised the services of 7 persons, who were junior to the applicant.

3. In the counter-affidavit, the respondents have asserted that in 1977 a Selection Committee considered the case of the applicant and of 7 other persons, allegedly junior to the applicant. The committee found the applicant unfit for regularisation.

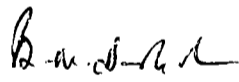
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4. On the face of it, this application is a highly belated one and is liable to be rejected on the ground of limitation alone. To get over the question of limitation, the applicant has averred that on 3.7.1989, he made a representation which remains unanswered. Be that as it may, no explanation has been offered as to why the applicant remained absolutely silent between January, 1983 and July, 1989, when he made a representation. In our opinion, the representation had been made merely to get over the question of limitation.

5. We do not find any reason to disbelieve the version of the respondents that a Selection Committee did not find the applicant fit to be regularised in service. Admittedly, the 7 persons junior to the applicant were regularised in service in 1977. That matter cannot be reopened on account of efflux of time.

6. The application is dismissed, but without any order as to costs.


(B.N. DHOUNDIYAL)
MEMBER (A)


(S.K. DHAON)
ACTING CHAIRMAN

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