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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

O.A. No. 2320/1990

New Delhi this the 21st Day of December, 1994

Hon'ble Mr. Justice S.C. Mathur, Chairman

Hon'ble Mr. P.T. Thiruvengadam, Member (A)

Shri Madan Gopal Gadhok,
S/p Shri A.C. Gadhok,
Resident of BA-106, DDA Flats,
Munirka, New Delhi

Shri Erij Bhushan,
S/o Shri Bal Kishan,
Resident of 225, Sector 16,
Faridabad

(Employed as Ex-Head Sorting
Assistant, Air Mail Sorting Division,
New Delhi-110 021.)

... Applicants

(By Advocate : None)

Vs.

1. Union of India through
Secretary, Ministry of Communications,
Dept. of Posts,
New Delhi.

2. The Chief Post Master General,
Delhi Postal Circle,
Meghdoot Bhawan,
New Delhi-110 001.

... Respondents

(By Advocate : None)

O R D E R (Oral)

Hon'ble Mr. Justice S.C. Mathur, Chairman

The case was taken up on the revised call. No one appeared from either side. We have perused the record and are disposing of the application on merit.

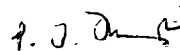
2. The applicants seek direction to the respondents to give them notional promotion with effect from 1.10.1968.


3. In paragraph 1 of the application, the applicants have indicated the orders by which they are aggrieved. There are two orders mentioned in Clause A. One of them was passed on 30.6.1968 and the other was passed on 17.6.1969. These orders were passed long time back and the applicants have filed the Original Application only in the year 1990, after a lapse of more than twenty years. Accordingly, their

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grievance relatable to those orders cannot be entertained at this late stage. In Clauses B, D and E they have referred to certain promotions made in pursuance of judicial orders passed either by a High Court or by the Tribunal. On the basis of these orders the Limitation prescribed in the Administrative Tribunals Act does not get bye-passed. In Clause C, the applicants have referred to promotion order dated 23.7.1984. This order was also passed much prior to one year of the filing of the present Original Application. In view of these facts the applicants' application is hopelessly beyond time.

4. A perusal of the applicants' application shows that their substantive grievance is directed against promotions granted to officials who did not participate in strike. In our opinion those who did not participate in strike constitute a class by themselves and they could be picked up for differential treatment. Therefore the applicants' plea of discrimination cannot be upheld. In view of the above, the application is dismissed but without any order as to costs as no one has appeared on either side. Interim Order, if any operating, shall stand discharged.


(P.T. Thiruvengadam)
Member (A)


(S.C. Mathur)
Chairman

Mittal