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CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH : NEW DELHI

O.A. NO.783/90 Date of Decision : 19.4.1991.

Hari Kishan Yadav ... APPLICANT

Vs.

Union of India & Anr. ... RESPONDENTS

Shri R. P. Jaiswal ... Counsel for the  
Applicant.

CORAM : HON'BLE MR. JUSTICE RAM PAL SINGH, V.C.(J)  
HON'BLE MR. P. C. JAIN, MEMBER (A)

JUDGMENT

(Judgment of the Bench delivered by  
Hon'ble Shri P. C. Jain, Member (A))

The applicant herein working as Maths Teacher in Government Boys Senior Secondary School No.-II, Palam Colony, New Delhi is aggrieved by order dated 26.11.1984 (Annexure-A to the OA) by which he was allowed the grade of Rs.440-750/- (RS) w.e.f. 1.11.1984 and his pay was fixed at Rs.440/- in the above grade. He has prayed for :-

- (i) for a direction to the respondents to pay him in the aforesaid scale of pay from the date of his appointment, i.e., 24.8.1982 instead of 1.11.1984;
- (ii) to make payment of the variation of annual increment to the applicant;
- (iii) necessary interest on the entire arrears on the amount calculated on the basis of the fixation of his pay in the above scale w.e.f. 24.8.1982 to 5.5.1985; and,
- (iv) to award the cost of the present application in favour of the applicant.

The applicant has also filed MP-1029/91 under Section 5 of the Limitation Act for condonation of delay. It is stated in the MP that the applicant made several approaches to the office of the respondents at Baroda House to get copies of the last correspondence but in vain, and that from the date of the receipt of the impugned order he kept representing to the concerned authority. It is also stated that through the applicant made several representations

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Date	Office Report	Orders
		<p>OA-783/90</p> <p>but he possesses copies of only two of them. His case is also said to have been represented through the Uttariya Railway Mazdoor Union. A delay of five years five months and 13 days is sought to be condoned on the basis of the above averments in the MP. The first representation filed by the applicant along with the OA is dated 10.12.1987 (Annexure-F) and reminder is undated (Annexure-G). By no stretch of imagination the above averments can be said to provide sufficient cause to the applicant for seeking his relief in the appropriate forum after such a long period. Even if it is considered that the applicant continued to make representations from time to time after the receipt of the impugned order which was passed on 26.11.1984, this will not be sufficient cause for extending the limitation. It is well settled that repeated representations do not extend limitation (<b>S. S. Rathore Vs. State of M.P.</b> : AIR 1990 SC 10). We are, therefore, of the view that there is no sufficient cause for condoning the delay. Accordingly, MP-1029/91 is disallowed.</p> <p>In view of the orders passed in the above MP, the OA is barred by limitation and is not maintainable under Section 21 of the Administrative Tribunals Act, 1985, and the same is rejected as such.</p> <p style="text-align: right;">(See ( P. C. Jain ) Member (A)</p> <p style="text-align: right;">( Ram Pal Singh ) V.C.(J)</p>