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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. No. 1693/1991

New Delhi, dated the 4th July, 1995

Hon'ble Shri N.V.Krishnan, Vice Chairman (J)

Hon'ble Smt.Lakshmi Swaminathan, Member (J)

Smt.Pushplata Gulhani,
r/o 57, SFS, Gautam Apartments,
(Gautam Nagar), Gulmohar Park,
New Delhi-110049

...applicant

(None for the applicant)

Vs.

Union of India

1. Through the Secretary,
Ministry of Works and Housing,
Nirman Bhawan, New Delhi-110011
2. Through the Director General of Works,
Central Public Works Department,
Nirman Bhawan, New Delhi.

... Respondents

(None for the respondents)

O R D E R (ORAL)

(Hon'ble Shri N.V. Krishnan, Vice Chairman (A))

When this case was called out twice none appeared for the parties. Hence O.A. is being disposed of after perusal of the record and pleadings.

2. It is seen that the applicant has filed MA 3295/91 for condonation of delay. The application was filed on 25-7-1991. After hearing both the parties, the OA was admitted on 12.9.91, subject to the point regarding limitation being dealt with at the final stage.

3. The application is directed against the order dated 25.4.1991 (Annexure P-1) in which the competent authority i.e. Directorate General, Central Public Works Department informed the Delhi Development

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Authority as follows:-

" The case of Smt. Pushpa Lata Gulhani regarding giving her benefits of past Government service has been considered carefully but since she has resigned from Government service on domestic grounds and her resignation was accepted with effect from 24.5.79 (AN) she is not entitled to benefits of past Government service."

The relief sought is to quash the memo. and direct the respondents to treat the applicant as having retired from the Central Government on 24.5.79 and grant him all benefits flowing therefrom on his absorption in the Delhi Development Authority.

4. On a perusal of MA 3295/91, it is seen that the applicant sought voluntary ^{retire} retired from service w.e.f. 24.5.79. It is seen ^{from} ~~in~~ the MA that the applicant had made several representations to the respondents from time to time, the last one being the 13-2-1991 praying that the applicant be deemed to have been retired from Govt. service on her joining the post in Delhi Development Authority, without any break in service, so as to enable the applicant to get all the benefits of her past service in the Central Government. This representation appears to have been forwarded by the Delhi Development Authority to the respondent i.e. Central Public Works Department and has been rejected by the impugned order Annexure P-1.

5. Thus it is clear that the applicant's resignation from Government service was accepted w.e.f. 24.5.79 for taking appointment in the Delhi

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Development Authority. In the circumstances the cause of action arose as far back as in 1979.

6. Admittedly, repeated representations were made the last one being the 13.2.1991. It is now settled law that repeated representation do not extend the period of limitation. Hence there is a bar of limitation. That apart, in this case, cause of action arose long before the Administrative Tribunal Act, 1985 come into force. Hence ^{under} ~~kindly~~ section ^{Tribunal} 21(2) of that Act this ~~act~~ has no jurisdiction also in the matter. We are of the view that the Annexure P.1 reply does not revive this dead issue. We are satisfied that the real claim pertains to a cause of action which arose on 24-5-79. That is beyond our jurisdiction.

7. Hence the O.A. is dismissed.

Lakshmi Swaminathan
(Lakshmi Swaminathan)

Member (J)

N.V. Krishnan
(N.V. Krishnan)

Vice Chairman (A)

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