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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

O.A. 3036/91

Date of decision: 4.5.92

V.S. Agarwal .. Applicant.

Versus

Union of India

& others .. Respondents.

Sh. K. L. Bhatia .. Counsel for the applicant.

Sh. P. H. Ramchandani .. Counsel for the
respondents.

CORAM:

The Hon'ble Sh. Justice Ram Pal Singh, Vice-
Chairman(J)

The Hon'ble Sh. I. P. Gupta, Member(A).

J U D G E M E N T

(Delivered by Hon'ble Sh. I. P. Gupta, Member(A))

In this application, filed U/s 19 of the Administrative Tribunals Act, 1985 the applicant has requested for issue of directions to the respondents to consider the case of the applicant for promotion to the post of Scientist, firstly in 1983-84 as well as in the year 1988 and for giving him consequential benefits.

(8)

The learned counsel for respondents raised the preliminary objection of limitation.

The learned counsel for the applicant has argued that his representation was rejected by a non speaking order in December, 1988 and a revision appeal to the President under Rule 29 of the C.C.A. Rule was filed, but no reply has been received so far. The representation having been rejected in December, 1988 and a revision petition in such a case being not a statutory provision especially because no appeal was filed, according to the applicant's own admission, within the stipulated period and a ~~the~~ revision petition is to be entertained by the authorities as specified under Rule 29 of the C.C.A. Rules either on his own motion or by calling for records of any inquiry, ~~but~~ in this case no such revision petition by the applicant was statutorily required. The contention of the learned counsel for the applicant that his revision petition has been pending for long and, therefore, the question of limitation does not arise, has no force.

gsl

(9)

The promotion relates to the period 1983-84 and January, 1988 and his application having been rejected in December, 1988, the case is obviously barred by limitation. Mere making of repeated representations which are not statutorily mandated does not have the effect of extending the period of limitation. The application also does not show sufficient cause for condonation of delay. It is, therefore, dismissed as barred by limitation with no order as to costs.

I.P. Gupta
(I.P. GUPTA) 4/5/92
MEMBER(A)

Ram Pal Singh
(RAM PAL SINGH) 4.5.92.
VICE CHAIRMAN(J)