

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA 3068/91

Date of decision: 19.04.93.

Shri Chattar Sain

...Petitioner

Versus

Union of India through the
Secretary, Ministry of Home Affairs,
New Delhi & Others ... Respondents

Coram: -

The Hon'ble Mr. I.K. Rasgotra, Member (A)
The Hon'ble Mr. J.P. Sharma, Member (J)

For the petitioner Shri S.P. Sharma, Counsel.

For the respondents S.I. A.Q. Khan,
departmental
representative.

Judgement(Oral)
(Hon'ble Mr. I.K. Rasgotra, Member (A))

The respondents have not filed any counter-affidavit so far. However, we have perused the petition and heard the learned counsel for the petitioner. The petitioner was enrolled in the Delhi Police on 11.11.1953 in the rank of Constable. He was promoted as Head Constable on 4.4.1958. Through this Application, he is seeking confirmation in the rank of Head Constable w.e.f. 4.4.1960 instead of May, 1967 when he was actually confirmed. The cause of action in this case arose in 1967. The learned counsel for the petitioner, however, states that subsequent to the judgement of the Tribunal dated 6.9.1991 passed in OA-1095/87 the petitioner's next junior was confirmed and promoted on an earlier date. The petitioner retired from service on 31.7.1991. No specific averment has been made by the petitioner as to who were his juniors who superseded him and when. In any case, the petitioner should have agitated his grievance at the proper time in the proper forum. He failed to do so. The

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reliefs now sought are clearly time barred under Section 21 of the Administrative Tribunals Act, 1985. The O.A. is accordingly dismissed, as time barred. No costs.

J. P. Sharma
(J. P. SHARMA)

MEMBER (J)

I. K. Rasgotra
(I. K. RASGOTRA)

MEMBER (A)

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