

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
NEW DELHI

Page No. 7

OA/ ~~WRA/COI~~ No. 535/ 19 91

P.K. Kapur  
APPLICANT(S)

COUNSEL

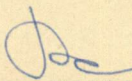
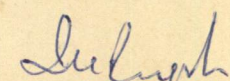
VERSUS

Union of India  
RESPONDENT(S)

COUNSEL

| Date | Office Report | Orders  |
|------|---------------|---|
|      |               | <p>2.</p> <p>4.3.1991</p> <p>Present : None for the Applicant.</p> <p>In the interest of justice, call on<br/>5.4.1991.</p> <p><i>le</i><br/>(J.P. SHARMA)<br/>MEMBER (J)</p> <p><i>le</i><br/>(N.V. KRISHNAN)<br/>MEMBER (A)</p> <p>10.</p> <p><u>5.4.1991</u> <i>OA-535/91</i></p> <p>Present : Shri S.S. Bhalla, Counsel for the Applicant.</p> <p><i>le</i><br/>Heard Shri Bhalla, The learned counsel for the applicant, <del>He said</del> submitted that his grievance is regarding the promotion of his juniors in 1962, while the applicant was promoted in 1975, who joined as a Computer and promoted as Investigator Grade II. We have considered the submissions made by the applicant and perused the record. The main argument of the learned counsel is that the final reply has been given to his various</p> <p>...2...</p> |



| Date | Office Report | Orders   |
|------|---------------|--|
|      |               | <p>representations by the department on 27th December, 1990. The cause of action had arisen in 1975 and the applicant should have agitated this matter earlier. The learned counsel also drew our attention to V.Karuppan Vs. Union of India, Full Bench Judgement in T.A. No.1009/86 to justify that the Tribunal had considered cases notwithstanding <del>with</del> the limitation provision made in the Central Administrative Tribunals Act. We are of the view that the case cited by the learned counsel is a Transferred Application and in that case the limitation provided in the Act was not considered. That case cannot be the basis for extending the period of limitation <sup>in the present case</sup>. The applicant should have come to the court much earlier. The Hon'ble Supreme Court has clearly laid down that in view of the specific provision regarding limitation made in the Act, the clock of limitation starts clicking from the date, the cause of action arose. Repeated representations do not extend the period of limitation (S.S. R athore Vs. State of Madhya Pradesh-1990 AIR SC P-10). In the circumstances, the case is barred by limitation and is accordingly dismissed.</p> <div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="text-align: center;"> <br/> (J.P. SHARMA)<br/> MEMBER (J) </div> <div style="text-align: center;"> <br/> (I.K. RASGOTRA)<br/> MEMBER (A) </div> </div> |