IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

OAs 1266,1267 and 1268/92

New Delhi this the 14th day of July, 1997.

Hon'ble Shri S.R. Adige, Member (A)

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

Shri Charan Das No.D/174,
S/o Sh.Sunder Das,
r/o A-4,Hazara Park,
Mahabir Mandir, Chander Nagar, Gali No.5,
Delhi-51

(None for the applicant) ... Applicant

Vs.

1. The Commissioner of Police,
Police Headquarters, I.P.Estate,
New Delhi.

2. The Delhi Administration
(Through its Chief Secretary),
Old Secretariate, Delhi.

3. UOI (Through Secretary),
Ministry of Home Affairs,
North Block, New Delhi.

... Respondents

(By Advocate Shri Vijay Pandita)

OA 1267/92

Shri Karnail Singh
s/o Late Sh.Gurdit Singh
r/o 8/98,Nehru Gali,
Vishwas Nagar, Shahdara, Delhi-32.

... Applicant

(None for the applicant)

Vs.

1. The Commissioner of Police,
Police Headquarters, I.P.Estate, New Delhi.

2. The Delhi Administration,
(Through Chief Secretary),
Old Sectt., Delhi.

... Respondents

(By Advocate Shri Vijay Pandita)

OA 1268/92

Shri Nirvair Singh
s/o Shri Jassa Singh
r/o C-21(G) Police Colony,
Vijeta Vihar Sector No.13,Rohini,Delhi-85

(None for the applicant) ... Applicant

Vs.

1. The Commissioner of Police,
Police Headquarters,I.P.Estate, N/Delhi.

2. The Delhi Administration (Through its Chief Secretary) Old Sectt.,Delhi.

... Respondents

(By Advocate Shri Ajesh Luthra proxy counsel for Ms Jyotsna Kaushik)

O R D E R (ORAL)

(Hon'ble Shri S.R. Adige, Member (A)

These OAs involve common questions of law and facts and therefore, they are being disposed of by a common order.

2. Applicants seek confirmation as Head Constable w.e.f. 1.6.55, and as ASI/SI and promotion to the rank of Inspector,ACP and DCP etc. consequent to their prayer for confirmation as Head Constable w.e.f. 1.6.55 with all consequential benefits.

3. None appeared for the applicants when the case was called out.

4. On the last date of hearing, one Ms Renu,proxy counsel for Shri S.P.Sharma had appeared and prayed for an adjournment on behalf of Shri Sharma on the ground that he was out of station. We had noted that the reliefs sought for by the applicants in these OAs relate to as far back as 1955 and the applicants had superannuated in 1988/1989,while these OAs had been filed in 1992. In thepresence of Ms.Renu, we had directed that these OAs be listed today when applicants counsel should be present and satisfy the Tribunal that the grievance of the applicants still survived and the OAs were not barred by limitation and lack of jurisdiction.

5. As stated above, none has appeared for the applicant when the case was called out. We note that the applicants are seeking benefits consequent to the Tribunals decision dated 6.9.91 in OA 1095/87,but it has been settled by the Supreme Court in S.S. Rathore V.State of M.P. (AIR 1990 SC p10) that judgment in other cases do not extend the cause of action.

6. That apart, we notethat in subsequent judgment dated 24.2.93 in OA 560/92- Shri Bachan Singh V.UOI & Ors. in which similar reliefs had been prayed for on the basis of the judgment in OA 1095/87, preliminary objection of limitation taken by the respondents had been upheld and that OA had been dismissed as barred by limitation.

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7. In the aforesaid facts and circumstances of the case, we see no good grounds to take a view any different from what has already been taken in Sachan Singh's case (Supra) and accordingly these OAs are dismissed on the ground of limitation and lack of jurisdiction. No costs.

(MRS. LAKSHMI SWAMINATHAN)
MEMBER(J)

(S.R.ADIGE)
MEMBER(A).

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