

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...

OA.No.1804 of 1992

20

Dated New Delhi, this 28th the day of July, 1997.

HON'BLE SMT. LAKSHMI SWAMINATHAN, MEMBER (J)
HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

Amar Singh -I
S/o Shri Fateh Singh
R/o A-40 Dayanand Colony
Lajpat Nagar
NEW DELHI-110024.

... Applicant

None for applicant.

versus

1. The Union of India, through the
Secretary to the Government
Department of Posts
Dak Bhawan
NEW DELHI-110 001.

2. The Chief Postmaster General
Delhi Circle
Meghdoot Bhavan
Jhandewalan Extension
NEW DELHI.

... Respondents

By Advocate: None.

O R D E R (Oral)

Smt. Lakshmi Swaminathan, M(J)

None has appeared for the applicant even on the
second call. None for the respondents either.

This case has been on board since 17.7.97 and none
has been appearing on behalf of the applicant. We
note from the reliefs claimed in the application by
the applicant that he is seeking promotion to the
higher grade of L.S.G. with effect from 1.10.68 i.e.
the date from which his juniors have been promoted
with all consequential benefits including arrears of
pay and allowances and other benefits.

8

Contd.. 2

2. The respondents have taken the preliminary objection that the application is barred by limitation and jurisdiction under Sections 20 & 21 of the Administrative Tribunals Act, 1985. There is no doubt that this application has been filed more than 23 years after the cause of action has arisen as the applicant claims reliefs with effect from 1.10.68. He relies on certain judgements in OA.No.2345/88 decided on 28.8.90 and OA.No.2111/91 decided on 20.11.91.

3. Admittedly, the cause of action has arisen much prior to the setting up of the Tribunal in November, 1985. Having regard to the *decisions* ¹⁸ of the Supreme Court in S. S. Rathore (AIR 1990 SC.10) , Bhoop Singh Vs UOI [JT 1992(3) SC>322], V. K. Mehra Vs The Secretary, Ministry of Information & Broadcasting [ATR 1996 (1) CAT 203] and the provisions of Sections 20 & 21 of the Administrative Tribunals Act, 1985, we find that this application is barred by limitation and jurisdiction. Besides, similar applications have since been disposed of by this Tribunal on these grounds. That is the reason probably the applicant has also not appeared, even though the case has been on board and called out *twice*. ¹⁸

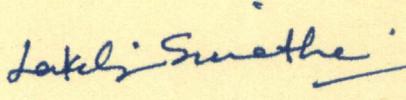
22

4. For the reasons given above, this application is dismissed. No order as to costs.

5. Shri S. M. Arif, learned counsel for the respondents appeared later and submitted the judgment of this Tribunal in OA.2320/90 decided on 21.12.94, which is placed on record.


(K. Muthukumar)

Member (A)


(Smt. Lakshmi Swaminathan)

Member (J)

dbc