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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

OA No.1907/92

Date of decision:26.8.92

Sh.K.R.Batra

...

Applicant

versus.

Union of India through
Secretary, Ministry of Finance & Ors.

...

Respondents

CORAM: THE HON'BLE SH.T.S.OBEROI, MEMBER(J)
THE HON'BLE SH.P.C.JAIN, MEMBER(A)

For the Applicant .. Applicant in person.

ORDER(ORAL)

(PASSED BY HON'BLE SH.P.C.JAIN, MEMBER)

The applicant in this OA, under Section 19 of the Administrative Tribunals Act, 1985 has prayed for promotion to the post of Assistant Collector with effect from the date his junior was so promoted in 1983. Admittedly, he made a representation on 7.12.83 in this respect. He sent a reminder on 4.10.89 and another reminder on 11.7.91.

Reply to the last reminder had been received on 22.11.91. It is this letter which has been impugned in this OA and it is on that basis that the applicant contested that this OA is within limitation.

2. It is clear from the above that the cause of action accrued to the applicant in 1983, i.e., within three years prior to the coming into force of the Administrative Tribunals Act on 1.11.1985, and, as such, the applicant should have filed the OA in accordance with the provisions of sub-clause(b) of sub-section(2) of Section 21 of the Administrative Tribunals Act, 1985 and which was over many years

ago. There is no justification for treating this
OA as having been filed within the prescribed
limitation. The OA is hopelessly barred by limitation
and is accordingly not maintainable and rejected
as such.

Clear 26/9/92
(P.C.JAIN)
MEMBER(A)

Clear 26/9/92
(T.S.OBEROI)
MEMBER(J)