

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. NO. 1985/92
M.P. NO. 2253/92

DECIDED ON : 3.8.1992

Shri Manohar

... Applicant

Versus

Union of India & Ors.

... Respondents

CORAM : The Hon'ble Shri T. S. Oberoi, Member (J)
The Hon'ble Shri P. C. Jain, Member (A)

Applicant through Shri B. K. Batra, Counsel

J U D G M E N T (ORAL)

Hon'ble Shri P. C. Jain, Member (A) :-

1. In this application under Section 19 of the Administrative Tribunals Act, 1985, the applicant has alleged that he was appointed as a Casual Labour Khalasi under I.O.W., Hapur from 7.2.1978 to 13.1.1979 and again under I.O.W., Gajraula from 15.1.1979 to 14.11.1979. He has prayed for a direction to the respondents (1) to reinstate him as Casual Labour Khalasi with consequential benefits and (2) to regularise his services as persons junior to the applicant have been regularised. From the above it is clear that the cause of action accrued to the applicant on 14.11.1979 or immediately thereafter so far as the prayer for reinstatement is concerned. As regards the prayer for regularisation, no particulars of the juniors and the dates on which they were regularised have been given and as such the date on which the cause of action in this regard accrued to the applicant has not been indicated.

(C)

2. When we requested the learned counsel for the applicant to satisfy us that the Tribunal has jurisdiction in the matter and that the OA is within limitation, he submitted that it is a continuing cause of action and that the applicant is a very low paid employee. We are unable to accept the aforesaid contention. It is well settled that repeated representations do not have the effect of extending limitation. It has also been held by the Tribunal in a number of cases that the Tribunal has no jurisdiction in matters where the cause of action accrued prior to three years of coming into effect of the Tribunal, which date is 1.11.1985. In this case, the cause of action, as already stated, accrued on 14.11.1979 or immediately thereafter.

3. The O.A. is, therefore, not maintainable on account of limitation as well as bar of jurisdiction and is accordingly rejected at the admission stage itself.

Cecini 3/8/92
(P. C. Jain)
Member (A)

Dasg
(T. S. Oberoi)
Member (J)