

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

RA No.151/93 in
OA No.1107/92

Date of decision:-

21.5.93

Dr.B.S.Attri ... Applicant
vs.
Union of India & ors. ... Respondents

CORAM:THE HON'BLE SH.J.P.SHARMA, MEMBER(J)
THE HON'BLE SH.S.R.ADIGE, MEMBER(A)

ORDER

(BY HON'BLE SH.J.P.SHARMA, IN CIRCULATION)

The Review Applicant has sought review of the judgement dated 23.2.93. In the OA, the applicant had prayed for the grant of relief that a direction be issued to the respondents that the service rendered by him as Senior Environment Officer from 1.1.82 to 9.9.85 be clubbed with the services rendered by him as Principal Scientific Officer with effect from 10.9.85 and the case of the applicant for promotion under the flexible complementing scheme be considered with effect from 1.1.88 rather than 1.7.90.

2. We considered the arguments advanced before us by the learned counsel for the applicant and dismissed the OA as barred by limitation and also not being maintainable. In the judgement the reliance had been placed on the case of **STATE OF PUNJAB VS.GURDEV SINGH(ATC 1991 (17) ATC SC 287)** in which the Supreme Court observed that even in service matters the aggrieved party has to come before the court within limitation provided under the statute. We had considered the ratio of the case of **S.S.RATHORE VS.STATE OF M.P.(AIR 1990 SC 10)** where the Supreme Court has held that repeated representations do not add to the period of limitation already

provided under the statute. We had also considered the various authorities of the Tribunal on the point of limitation.

3. The Review Applicant has averred in para 5 of the application that the Tribunal has erred in law in coming to the conclusion that the application is barred by limitation. A careful reading of the points raised in paras 6.1.& 6.2 clearly shows that the applicant has been making representations one after the other and now only it is stated that the subsequent representations were made on new grounds. The basic point that remained is that the applicant only represented for counting his service as Senior Enviorment Officer from 1.1.82 to 9.9.85 which according to him should have been clubbed with the service rendered by him as Principal Scientific Officer with effect from 10.9.85. Thus, it cannot be said that these representations give a fresh cause of action to the applicant. There is no error apparent on the face of the judgement. The point raised in the OA and argued at the time of the final hearing have been fully discussed in the judgement under review. The RA has no merit and is, therefore, dismissed by circulation.

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(S.R.ADIGE)
MEMBER(A)

J.P.Sharma
(J.P.SHARMA)
MEMBER(J) 21.5.93