

(4)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

Regn. No. OA 6/92

Date of decision 26.5.1992

Sohanbeer Singh

Applicant

Shri K. Bhardwaj

Counsel for the applicant

vs.

U.O.I. & Ors.

Respondents

S/Shri R.L. Dhawan and K.P. Dhawan

Counsel for the respondents

CORAM

The Hon'ble Mr. Justice Ram Pal Singh, Vice-Chairman(J).

The Hon'ble Mr. P.S. Habeeb Mohamed Member (A).

JUDGMENT (ORAL)

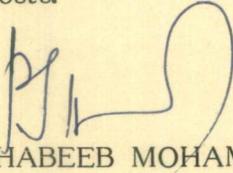
The applicant on 1.12.67 was declared unfit for Class 'B' service with/without glasses. In Annex. A-1 also it is indicated the question of the applicant's absorption in an alternative post will be considered separately by the Divisional Personnel Officer of Northern Railways, Allahabad. Since then, the applicant has not been offered any alternative post. After passing of the order of 1.12.67, the applicant could have filed a civil suit or he could have filed a writ petition under Article 226 of the Constitution of India for redressal. However, he did not take these remedies after the passing of the Annex. A-1 on 1.12.67. Several years elapsed. On 1.11.85, the Administrative Tribunals Act came into force which provides that an O.A. has to be filed within a period of 18 months from the date of the cause of action. Even if we assume that the cause of action arose on 11.4.888, even then the applicant did not avail the remedy under Section 19 by coming before this Tribunal. This O.A. has been filed by the applicant in January, 1992. Apparently, the O.A. is barred by limitation. Filing of repeated or belated representations do not confer a fresh cause of action upon the applicant. The Hon'ble Supreme Court in S.S. RATHORE V. STATE

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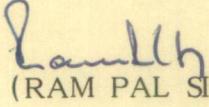
OF MADHYA PRADESH (1989 (2) SCALE 510) observed:

"20.....Repeated unsuccessful representations not provided by law are not governed by this principle."

2. The applicant has also not filed any application for condonation of delay showing sufficient cause. We have consequently no option, but to dismiss this O.A. The parties shall bear their own costs.

  
(P.S. HABEEB MOHAMED)

MEMBER (A)

  
(RAM PAL SINGH)

VICE-CHAIRMAN (J)