

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

Regn. No. O.A. No. 1209/92 Date of decision 3.6.1992
Dr. S.P. Sarkar Applicant
Shri V.K. Rao Counsel for the applicant
vs.
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)

Heard on admission as well as on interim relief. He prays for grant of relief on seniority for the period from 1963 to 1967 when the applicant was working as Senior Assistant Surgeon Gr.I. Prima-facie, the relief appears to be barred by limitation. Before coming into force of the Administrative Tribunals Act, the applicant could have prayed for the remedy either by way of civil suit or by way of filing a writ petition under Article 226 of the Constitution of India. When the Administrative Tribunals Act came into force on 1.11.85, the applicant sat over his right till 5.5.92, when he filed this O.A. The counsel for the applicant contends that he has filed a representation which is dated 17.3.92 which clearly shows that the O.A. is barred by limitation. On merits also, the counsel for the applicant contends that as his juniors have been promoted, the respondents have contravened the provisions of Articles 14 and 16 of the Constitution. On merits also, the application appears to be bereft of merits. It is, therefore, dismissed without notice to the respondents.

(P.S. HABEEB MOHAMED)

MEMBER (A)

RAM PAL SINGH
(RAM PAL SINGH)

VICE-CHAIRMAN (J)