

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 1146 of 1996

Allahabad this the 15th day of May, 2002

Hon'ble M<sup>r</sup>. Justice R.R.K. Trivedi, V.C.  
Hon'ble Mr.C.S. Chadha, Member (A)

Mahadeo Son of Sri Late B.Ram, A.P.M.-S Bank third  
Allahabad Katchehari Head Quarter, Allahabad-2.

By Advocate Shri N.L. Srivastava

Applicant

Versus

1. Union of India through Secretary of Ministry of Communication, New Delhi.
2. The Post Master General, Allahabad.
3. The Chief Post Master General, U.P. Lucknow.
4. The Member (Post) Office of the Director General (P) Dock Bhawan Sansad Marg, New Delhi.

Respondents

By Advocate Shri D.S. Shukla

O R D E R ( Oral )

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A. filed under Section 19 of the Administrative Tribunals Act, 1985 the applicant has prayed for a direction to the respondents to promote him in Higher Selection Grade w.e.f. 10.06.88 and the date from which his junior late Bhola Nath

has been promoted by order dated 19.02.1996  
(annexure-6) with all consequential benefits.

2. This O.A. has been filed on 28.10.96. On promotion of one Shri R.K. Goswami to H.S.G. Grade II on 10.06.88, Shri Bhola Nath-1 felt aggrieved and filed O.A. No. 1187/92 in which he alleged that his junior has been promoted and ~~he has been~~ ~~he~~ ignored. This O.A. was ~~allowed~~ ~~fixed~~ by order dated 08.03.95. The direction was given to the respondents that Bhola Nath shall be considered for such promotions and in case he is otherwise found fit, he shall be promoted with effect <sup>from</sup> ~~from~~ ~~which~~ such junior were promoted. On such promotion he shall be entitled to the difference of pay and allowances from the date of his promotion till the date of his retirement and also to other consequential benefits like corresponding increase ~~in~~ in the retiral benefits. On the basis of aforesaid order of this Tribunal, promotion order was passed in favour of Bhola Nath on 19.02.1996. After the order was passed in favour of Shri Bhola Nath, then the applicant filed this O.A. claiming ~~similar~~ <sup>similar</sup> relief. In our opinion, the O.A. is highly time barred. The cause of action arose to the applicant on 10.06.88 when R.K. Goswami was granted the promotion. However, the applicant did not feel aggrieved by the said promotion of Shri R.K. Goswami, whereas Bhola Nath felt aggrieved and challenged the order. After he was granted relief it was not open to the applicant to come and say that he shall also be granted promotion w.e.f. June, 1988

b: 3 ::

In our opinion for cause of action which arose in 1988, the limitation started running and it could not be extended merely because O.A. filed ~~xx~~ by another employee was decided subsequently. The claim of the applicant is highly time barred and is liable to be rejected. The O.A. is dismissed accordingly. No order as to costs.

G. Chethia

Member (A)

J  
Vice Chairman

/M.M./