

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 190 of 1998

Allahabad this the 05th day of January, 1999

Hon'ble Mr. S. Dayal, Member (A)
Hon'ble Mr. S.L. Jain, Member (J)

Raghavendra Kumar, Son of Late J.P. Verma, Resident
of Type-V Duplex, N.S.I., Kalyanpur, Kanpur.

Applicant

By Advocate Sri Akhileshwar Singh

Versus

1. Union of India through the Secretary, Ministry of Food & Consumer Affairs, Department of Sugar & Edible Oil, Krishi Bhawan, New Delhi-110001.
2. Union Public Service Commission, through its Secretary, Dholpur House, Shahjahan Road, New Delhi-110011.
3. Shri R.K. Vaish, Professor - Sugar Engineering, National Sugar Institute, Kalyanpur, Kanpur-208017.
4. Shri R.K. Behl, Professor, Sugar Engineering (Extension), National Sugar Institute, Kalyanpur-Kanpur-208017
5. Director, National Sugar Institute, Kalyanpur, Kanpur.

Respondents

O R D E R (Oral)

By Hon'ble Mr. S. Dayal, Member (A)

In this application filed under Section 19 of the Administrative Tribunals Act, 1985, the applicant has sought setting aside of Seniority List dated 07.3.89 and 10.2.95 and also sought the relief of placing the name of the applicant above the names of respondents no.3

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and 4 in the seniority list. The arrears of pay on account of alleged wrong assignment of seniority to the applicant has also been prayed for.

2. Learned counsel for the applicant has mentioned in the affidavit accompanying/miscre. delay condonation application no.1537/98 that the seniority list dated 07.8.89 issued by Senior Administrative Officer of National Sugar Institute, Kanpur was represented against by the applicant but the representation of the applicant had been rejected. Another seniority list has been published on 13.2.95 in which the applicant is shown junior to the respondents no. 3 and 4. The applicant claims to have represented against this seniority list in October, 1995. He further mentioned that the respondents had orally assured him that his case would be considered and that is why the applicant claims that he did not approach the Tribunal or the High Court. The present O.A. has been filed on 12.2.98. Since the original seniority list is of 1989 and even second seniority list of 1995, has not been challenged within the period allowed to the applicant under Section 20 of the Administrative Tribunals Act, 1985, the O.A. is clearly time barred and is, therefore, dismissed at the stage of admission. Successive representations would not give a fresh cause of action to the applicant. No order as to costs.

SJM
Member (J)

Hand
Member (A)

/M.M./