

OPEN

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 1st day of August 2003.

QUORUM : HON. MR. JUSTICE R. R. K. TRIVEDI, V. C.  
HON. MR. D. R. TIWARI, A.M.

O. A. No. 454 of 1998

Laxmi Kant S/O Late Sri Harsh Nath Singh, Assistant Engineer  
(A.E.E.), 10B, Telephone Exchange Colony, Civil Lines,  
Gorakhpur.....  
..... Applicant.

Counsel for applicant : Sri V.K. Srivastava.

Versus

1. Union of India through Secretary Ministry of Tele-  
Communication, Sanchar Bhawan, New Delhi.  
2. Director, Staff Sanchar Bhawan, As-hoka Road, New Delhi.  
3. Chairman, Telecom Commission, Sanchar Bhawan, Ashoka Road,  
New Delhi.....  
..... Respondents.

Counsel for respondents : Sri A. Sthalekar.

ORDER (ORAL)

BY HON. MR. JUSTICE R. R. K. TRIVEDI, V. C.

By this O.A. filed Under Section 19 of A.T. Act, 1985, applicant has prayed for a direction to respondents to make the fixation of seniority of the applicant from his date of appointment/promotion to the post of Assistant Engineer with effect from the date when the vacancy arose in the year 1981 i.e. in the Blue Book. It has been further prayed that the respondents may be directed to fix the deemed date of promotion of the applicant as 11.5.1981.

2. From the above, it is clear that the cause of action, for which this O.A. has been filed, arose to applicant in 1981. This Tribunal was established on 1.11.1985. Under clause (a) of Sub-Section (2) of Section 21, of A.T. Act, 1985, this Tribunal can entertain the dispute, the cause of action for which <sup>had</sup> arisen by reason of any order made at any time during the period of three years immediately preceding the date

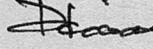


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on which the jurisdiction, powers and authority of the Tribunal becomes exercisable under this Act in respect of the matter to which such order relates.

3. From the aforesaid it is clear that the cause of action arose to the applicant ~~is~~<sup>during</sup> beyond the period of three years. Thus, this O.A. is highly time barred. Accordingly the O.A. is dismissed being time barred. However, the applicant may raise his grievance before the competent forum for relief.

No order as to costs.



A. M.



V. C.

Asthana/