

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 17TH DAY OF JANUARY, 2002

Original Application No.1315 of 2001

CORAM:

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

HON.MAJ.GEN.K.K.SRIVASTAVA, MEMBER(A)

Raj Deo, aged about 61 years
Son of Late Shyam Lal, R/o Mohalla
Pachpedita Dwijesh Marg, Post
Purani Basti, district Basti.

... Applicant

(By Adv: Shri Satish Dwivedi)

Versus

1. Union of India through Secretary
Govt. of India Ministry of
Defence, Deptt. of Defence,
Production, New Delhi.
2. Chairman, Ordnance Factory
Board, 10-A Shahid Khudi Ram Bose
Marg, Kolkata
3. Additional Director General
Ordnance Factory O.E.F, H.Qrs, G.T.
Road, Kanpur.

... Respondents

(By Adv: Shri R.K.Tewari)

O R D E R(Oral)

JUSTICE R.R.K.TRIVEDI,V.C.

This application u/s 19 of A.T.Act 1985 has been filed by the applicant for a direction to promote him to the post of Junior Works Manager from the date 22.10.1996 when person^u ~~person~~ junior to the applicant Sri S.C.Mirza was promoted and to pay arrears of difference in the salary. It is not disputed that applicant retired from service on 31.8.1997. The cause of action arose to the applicant on 22.10.96 i.e. about more than five years before. The OA has been filed now.

It is submitted by the learned counsel for the applicant that the delay was on account of the representation submitted by the applicant to the authorities for rectifying the grievance. The order on representation was ^{an} ~~based~~ on 17.4.1997. The limitation for filing the

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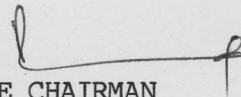
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OA in this Tribunal is one year u/s 21 of the A.T.Act 1985. This OA has been filed on 6.6.01 i.e. much after the limitation prescribed under the act. Even if the submission of the learned counsel is accepted for the period during which representation was pending, the delay ^{after} ~~for~~ the period representation was decided, has not been explained.

The OA is accordingly dismissed as time barred. No order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: Jan: 17th, 2002

Uv/