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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

ORIGINAL APPLICATION NUMBER 1249 OF 2005

ALLAHABAD, THIS THE 25th DAY OF OCTOBER, 2005

HON'BLE MR. A.K. BHATNAGAR, MEMBER-J
HON'BLE MR. D.R. TIWARI, MEMBER (A)

1. Qasim Ali s/o Niyamat Ali.
2. Mohd. Naeem S/o Mohd. Saeen.
3. Mohd. Mehboob S/o Nasir Ahmad.
4. Aslam Khan S/o Babban Khan.
5. Mohd. Yaseen s/o Sadeeq.
6. Mohd. Yaqub S/o Sadeeq.
7. Irshad Ahmad s/o Kallu Miyan.
8. Mohd. Naseem S/o Abdul Salam.
9. Irfanul Hasen S/o Badrul.
10. Beni Madhav Singh S/o Ram Janam Singh.
11. Girja Prasad s/o Sadho Ram.
12. Muneshwar Prasad s/o Jiyalal.

All are working on the post of Bhisties under the Chief Health Inspector/Station, Allahabad Station under the Control of Commercial Department of North Central, Allahabad.

..... Applicants.

(By advocate : Shri V.M. ZAIDI)

V E R S U S

1. Union of India through Director Establishment, Railway Board, Rail Bhawan, New Delhi.
2. General Manager (Personnel), North Central Railway, Headquarters, Allahabad.
3. Divisional Railway Manager (Personnel), North Central Railway, Allahabad Division, Allahabad.
4. Senior Divisional Commercial Manager, North Central Railway, Allahabad Division, Allahabad.
5. Station Manager, Allahabad Junction Station, N.C. Railway, Allahabad.
6. Chief Health Inspector, Allahabad Jn. Station, N.C. Railway, Allahabad.

..... Respondents

(By Advocate: Nil)

Mr



ORDER

By HON'BLE MR. A.K. BHATNAGAR, MEMBER-J

This O.A has been filed under section 19 of the Administrative Tribunal Acts, 1985 for quashing the impugned order dated 04.01.2000 passed by respondent No.3 and the order dated 03.05.2001 passed by the respondent No.6 so far they relate to the deployment of the applicants in the category of Safaiwalas (Annexure-1) and Annexure-2) respectively.

2. At the outset on the quarry of the Court on the aspect of the limitation, learned counsel for the applicant submitted that he has filed representation against this order dated 4.1.2000 on 8.5.2001 (Annexure-3) and since than he has been continuously sending representations from time to time but no action has so far been taken by the respondents.

3. According to the applicant on the representation of the applicant, respondents took action for medical of the applicant (Annexure A-8).

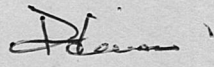
4. We have heard counsel for the parties and perused the record.

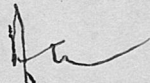
5. The law on the subject is well settled that repeated representations do not extend the period of limitation in favour of the applicant. The cause of action in this case arose in 2000 or 2001. Even then, if the representation was not decided by the



department, he could have waited for six months and filed the O.A. but the applicant did not choose to do so. Moreover, we find that no Delay Condonation Application has been filed in this case. We are well aware of the case of Ramesh Chandra Sharma Vs. Udham Singh Kamal 2000 S.C.C (L&S) 53, which clearly bars the Tribunals for entertaining O.As. which are barred by period of limitation.

6. Accordingly, the O.A. is dismissed in limine as grossly barred by period of limitation.


Member-A


Member-J

Manish/-