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Central Administrative Tribunal, Allahabad.

Registration O.A.No.677 of 1986.

Ram Khelari Verma and another Applicants
Vs.

Divisional Railway Manager,
Northern Railway, Allahabad Respondent.

Hon. Ajay Johri, AM
Hon. G.S.Sharma, JM

(By Hon. G.S.Sharma, JM)

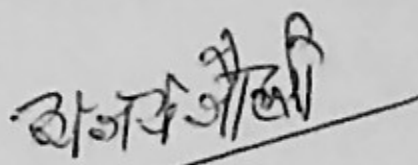
This application under section 19 of the Administrative Tribunals Act XIII of 1985 has been moved by 2 applicants for amending the seniority list issued on 13.7.1984 so as to place them on higher positions. Against the said seniority list, the objections/ representations were invited within a month. The applicant no.1 had submitted his representation on 28.11.1984. No representation was made by the applicant no. 2 Rahvir Singh, though it is alleged that both had made the representation vide copies annexures 2 and 3. The annexures 2 and 3 clearly indicate that they were made only by the applicant no.1 and none of them was made by or on behalf of the applicant no.2. Prima facie, the applicant no.2 should, therefore, have no grievance against the seniority list after such a long time. We further feel that the applicant should have filed this application within 6 months from 1.11.1985 when the Central Administrative Tribunal was established and the application having been filed much after that on 12.11.1986, is barred by law of limitation prescribed by Section 21(2) of the Administrative Tribunals Act XIII of 1985. On going through

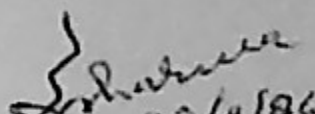
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the application, we find that in paragraph 5 of the same, it has been mentioned that in case the application is found to be beyond time, the delay may be condoned as the applicants were under the bonafide belief that their representation would be decided by the authorities. No argument was advanced on behalf of the applicants for condoning the delay perhaps for the simple reason that the grounds alleged for condoning the delay are not sufficient. In case, the representations filed by the applicant no.1 are decided against him, he will have a fresh cause of action to come before us by moving another application. The application is accordingly summarily dismissed as time barred.


Member (A)


28/11/86
Member (J)

Dated 28.11.1986
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