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Central Administrative Tribunal, Allahabad.

Registration O.A.no.231 of 1987.

Makrand Singh Applicant

Vs.

Union of India & 7 others Respondents.

Hon. D.S.Misra, AM
Hon. G.S.Sharma, JM

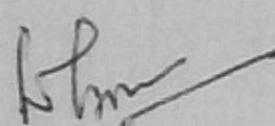
(By Hon. G.S.Sharma, JM)

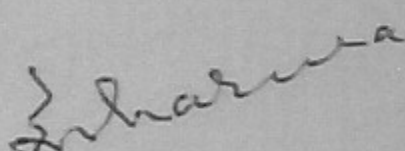
Heard the learned counsel for the applicant. In this application under Section 19 of the Administrative Tribunals Act XIII of 1985, the applicant challenges the order dated 8.9.1981 of his removal from service and the order dated 25.1.1982 dismissing his appeal against the said order. It has been alleged by him that after 25.1.1982, the applicant made several representations to the Divisional Railway Manager, General Manager N.E.Railway and the Railway Minister praying for justice. Last such reminder was given by him to the Railway Minister on 26.11.1986 and his contention is that the application having been filed within 3 years from the last reminder given by him, it is within limitation prescribed by Section 21 of the A.T.Act.

2. We heard the learned counsel for the applicant on the question of limitation and have also perused the necessary records. It is not alleged that after the dismissal of his appeal by the competent authority on 25.1.1982, the applicant had made any application for review or any other appeal or representation

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provided under the Railway Servants (Discipline and Appeal) Rules and as such, the subsequent representations alleged to have been made by the applicant to the DRM, GM and the Railway Minister cannot be considered for extending the limitation prescribed under Section 21 of the A.T. Act. In this case, the general limitation of 3 years prescribed for such case expired on 21.1.1985, much before the establishment of the Central Administrative Tribunal and as such, this application is not within the period prescribed under Section 21 of the said Act. We are unable to accept the contention that the application should be treated within time from the date of the last representation made by the applicant. The application being barred by limitation is summarily rejected.


27.3.1987
MEMBER (A)


27.3.1987
MEMBER (J)

Dated 27.3.1987
kkb