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Reserved

Central Administrative Tribunal, Allahabad.

Registration O.A.No. 148 of 1988

R.D.Singh ... Applicant

Vs.

Union of India and others ... Respondents.

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

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

This petition under Section 19 of the Administrative Tribunals Act XIII of 1985 (hereinafter referred to as the Act) was filed on 1.2.1988 for setting aside the order dated 30.3.1987 passed by the respondent no.2 and for setting aside the orders dated 3.12.1977, 21.9.1979, 2.11.1979 and to direct the respondents to give effect to the promotion of the applicant from 3.12.1977 as well as for a direction to the respondents to pay special pay to the applicant from 21.2.1980 to 1.5.1984. The applicant has tried to explain the delay in filing this petition by asserting that the applicant had been making representations, more particularly on 2.1.1978, 5.6.1978, 10.6.1980, 22.1.1981, 8.4.1981, 25.9.1981, 3.11.1981, 18.8.1982, 19.3.1982, 10.3.1983, 27.5.1983, 23.7.1983, 7.4.1984, 17.12.1984, 1.1.1986 and 2.2.1987, to the respondents but they were not decided.

2. The order dated 30.3.1987 which the applicant wants us to set aside is contained in annexure 10. Its perusal shows that in fact it is not any order but is a letter from the respondent no.2 to the respondent no.5 calling for a report about the various representations made by the applicant from 1981. This letter did not finally dispose of the representations of the applicant and as such, did not furnish any cause of action to the applicant. All the <sup>order</sup> orders sought to be set aside by the applicant are of a period of more than 3 years preceding the establishment of this Tribunal and as such, are not within limitation



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under Section 21 of the Act. It is well established that successive representations do not extend the period of limitation which had already started running before the first representation was made. The claim of the applicant for setting aside the various orders from 3.12.1977 to 2.11.1979 are thus barred by limitation. The claim of the applicant for special pay from 21.2.1980 to 1.5.1984 is also not within the period of limitation prescribed by Section 21 of the Act.

3. The petition is accordingly dismissed as time barred at admission stage. We, however, direct the respondents to dispose of the representations of the applicant, if received by them, within a period of 3 months.

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MEMBER (A)

Dated 10th March, 1988

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Signature  
10/3/88  
MEMBER (J)