

3

A3
8

CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH, ALLAHABAD

....

Registration O.A. No. 1117 of 1988

Pramod Kumar Pandey ... Applicant

vs.

Union of India and ors ... Respondents

Hon' Mr K.J. Raman, A.M.

Hon' Mr J.P. Sharma, J.M.

Shri R.P. Shastri learned counsel is present on behalf of the applicant, and has been heard on the question of limitation.

2. This application has been filed on 22.9.88.

According to the applicant, he was selected as Trainee and Traffic Apprentice in the Northern Railway in June, 83. On medical examination, he was found unfit. It is stated that ~~whereas~~ ^{whereas} he was found unfit for the above post, he was found fit for other categories. The short point is that he was not offered the other category of appointment, even though allegedly one Shri ~~Parveez~~ ^{Parvez} in a similar situation was given alternate employment. The problem in this case is that the actual cause of action arose in 1983. Thereafter, the applicant has been sending repeated representations. Even the alleged appointment of Shri Parvez ^{was} stated to have been ~~made~~ ^{made} in 1985; even ~~though~~ ^{then} the applicant had not taken any effective steps to avoid the question of limitation.

3. In this case, in accordance with the provisions of section 21 of the Administrative Tribunals' Act, 1985, the applications ~~are~~ ^{ought} to have been filed within 6 months from the date of promulgation of the said Act. This application however, has been presented much later in 1988. No satisfactory explanation has been given for the delay. In these circumstances, this application is hit by the bar of limitation and is dismissed.

(sns)

MEMBER (J)

March 19, 1990, Allahabad.

MEMBER (A)