

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD

Allahabad : dated this 11th day of December, 2000

Original Application No. 1539 of 1992.

CORAM :-

Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. Rafiuddin, J.M.

A.P. Mishra S/o Late Shri Ram Bhajan Mishra,
R/o H.No.615, Indra Nagar(Esai Tola),
Jhansi (U.P.), Retired Office Superintendent
Cy. MS Office, Central Railway, Jhansi.
(Sri HP Pandey, Advocate)

..... Applicant

Versus

1. Union of India through the General Manager,
Central Railway, G.M.'s Office,
Bombay V.T.

2. Divisional Railway Manager, Jhansi,
Central Railway, D.R.M.'s Office, Jhansi.

3. Divisional Railway Manager (Personnel),
Central Railway, Jhansi.

(Sri AV Srivastava, Advocate)

..... Respondents

O R D E R (Overall)

By Hon'ble Mr. S. Dayal, A.M.

This application has been filed for seeking a direction to the respondents to comply with the orders of the Railway Board contained in their circular dated 16-11-1984 and promote the applicant alongwith his juniors who were promoted as OS-II w.e.f. 15-11-1988. The applicant has also sought ^{direction &} to refix the pay of the applicant in the higher Grade of OS-II and OS-I as

was done in the case of Shri Nanhey Khan.

2. We have heard Sri HP Pandey, counsel for the applicant and Sri AV Srivastava, counsel for the respondents.

3. Learned counsel for the applicant has relied on the order of this Tribunal in OA No.656/1988 dated 14-3-1991 in seeking the relief in this case. By the order dated 14-3-1991 one Shri Nanhey Khan was directed to be promoted after taking into account his seniority. It was found in this case that 52 posts were to be filled up by promotion. By the order dated 16-11-1984 the modified selection procedure was to be applied and scrutiny of service record was the basis of promotion. The respondents filled up 31 posts out of 39 and thereafter out of remaining 21 posts possibly 8 persons were promoted out of which 6 persons were junior to the applicant as they were belonging to the SC/ST.

4. The claim of the applicant is now based on the order passed in Nanhey Khan's case. It is admitted that the applicant retired on 28-2-1990. It is also on record that the application has been filed on 23-10-1992.

5. It is settled law that limitation in a case has to be computed from the date of arising of the cause of action and not from the date of some order passed in case of a person alleged to be similarly situated by the Tribunal. The applicant has filed his application after the period of limitation. Therefore, this application is rejected. There shall be no order as to costs.

D-1-Smtd

Member (J)



Member (A)

Dube/