

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 14th day of July, 2000

Original Application No. 1198 of 1993

District : Allahabad

COURT :-

Hon'ble Mr. Justice R.R.K. Triyedi, V.C.

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

N.R. Kitty son of Late Hari Kamal Kitty,  
R/o 64-A, New Bairana, Allahabad.

(Sri AK Sinha, Advocate)

. . . Applicant

versus

1. Union of India through Chairman,  
Railway Board, Ministry of Railways,  
Rail Bhawan, New Delhi.
2. General Manager, Northern Railway, Baroda House,  
New Delhi.
3. Divisional Railway Manager, Northern Railway,  
Allahabad.

(Sri G. P. Agrawal, Advocate)

. . . Respondents

ORDER (Oral)

By Hon'ble Mr. Justice R.R.K. Triyedi, V.C.

This application has been filed seeking the relief that the applicant may be granted promotion as Senior Clerk in grade Rs. 130-300 (AS) w.e.f. 30-9-1965.

2. The facts giving rise to this application are that the applicant joined as Commercial Clerk on 7-11-1950. In 1964 the applicant became sick and he was not able to discharge normal duties as Parcel Clerk, he was absorbed in Electrical Department ~~as~~ <sup>as</sup> Clerk in the grade of Rs. 110-180 (AS) w.e.f. 26-5-1965. When the applicant joined in Electrical Department, suitability tests for promotion as Senior Clerk were already in progress. The applicant was not called to appear in the suitability



test. The grievance of the applicant is that he was senior and he was entitled to be called for suitability test for being promoted as Senior Clerk. Representation was made in the department by the applicant. The representation of the applicant was rejected by the order dated 18-11-1972 by reasoned order. The matter was taken up <sup>upto</sup> ~~with~~ the Railway Board. The claim, however, was rejected by the order <sup>pend</sup> ~~some~~ time in October, 1974. The applicant, however, <sup>again</sup> ~~raised~~ this dispute which was not accepted.

3. In our opinion the claim of the applicant is very old and clearly time barred under Section 21 of the Act. The fact that the applicant continued to make representations from time to time could not extend the period of limitation. The application is accordingly rejected. There shall be no order as to costs.



Member (A)



Vice Chairman

Dube/