

Open Court.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

....

Original Application No. 274 of 2002.

this the 19th day of March 2002.

HON'BLE MR. S. DAYAL, MEMBER (A)
HON'BLE MR. A.K. BHATNAGAR, MEMBER (J)

Smt. Bina Keshav Rao Meshram w/o S.K. Singh, R/o
Nursing Sister, Cancer Sansthan, N.E.R., Lahertara,
District Varanasi.

Applicant.

By Advocate : Sri M.A. Siddiqui.

Versus.

1. Union of India through General Manager, N.E.R., Gorakhpur.
2. Divisional Railway Manager (P), N.E.R., Varanasi Division, Varanasi.
3. Sr. Divisional Personnel Officer, N.E.R., Varanasi.
4. Smt. Sangita Rani Choudhary, Matron, Cancer Sansthan, N.E.R., Varanasi.

Respondents.

By Advocate : Sri Vinod Kumar for Sri K.P. Singh.

O R D E R (ORAL)

BY HON'BLE MR. S. DAYAL, MEMBER (A)

This application has been filed for setting aside the orders dated 29.2.96 and 6.8.97.

2. The applicant claims that she was a Nursing Sister and was called for the selection of Matron alongwith 12 others, which included the respondent no.4. The applicant claims that in the written examination pursuant to the selection, she was declared successful, while the respondent no.4 was not declared as successful. She also claims that in the

interview held after the result of the written examination was declared, only five candidates were declared passed, which did not include the name of the respondent no.4. She further claims that she is senior to the respondent no.4, yet the respondent no.4 has been promoted and she has been left-out.

3. We have heard the arguments of Sri M.A. Siddiqui for the applicant and Sri Vinod Kumar brief holder for Sri K.P. Singh for respondents.

4. We find that in the result of the written examination Smt. Sangeeta Rani Choudhary was also found eligible to be called for the interview on the basis of the relaxed standard for SC employees. It is true that neither the applicant nor the respondent no.4 were shown in the order dated 29.2.96 by which five Nursing Sisters were included in the panel of select list of Matron. The selection was made on the basis of interview and written examination and not on the basis of seniority. It is not the case of the applicant that she got higher marks than the respondent no.4 and was entitled to be appointed on that account.

5. Appointments were made in the year 1996-97 and the O.A. has been filed now challenging the said appointment. In response to delay, the learned counsel for the applicant states that he has filed an application for condonation of delay in which it has been stated in the affidavit that several representations were made to the respondents, but they paid no heed and, therefore, the applicant has finally come to this Tribunal. The law regarding limitation is quite clear. The Hon'ble Supreme Court has held in so many cases that repeated representations do not extend the

period of limitation.

6. Under the circumstances, we find no merit in the O.A. and the same is dismissed. No costs.

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MEMBER (J)

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MEMBER (A)

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