

(12)

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD**

PRESENT

**HON'BLE MR. JUSTICE A.K. YOG, MEMBER-J**

**HON'BLE MRS. MANJULIKA GAUTAM, MEMBER-A**

Allahabad this the 18<sup>th</sup> day of September, 2008

**ORIGINAL APPLICATION NO. 395 OF 2006**

Laxmi Narayan Vishwakarma, Aged about 49 years, S/o  
Sri Raghunath, R/o Village Raksha, District Jhansi.

...Applicant.

By Advocate : Sri R.K. Nigam.

**Versus**

1. Union of India through General Manager,  
N.C.R., Allahabad.
2. Dy. Chief Engineer (Track Machine),  
Divisional Railway Manager's Officer  
Complex, North Central railway, Jhansi.
3. Executive Engineer (Track Machine), Central  
Railway, Bhusawal.

...Respondents.

By Advocate : Sri A.K. Pandey

**O R D E R**

**Delivered: By Justice A.K. Yog, Member-J**

The relief clause in the O.A. itself indicates that the applicant is seeking promotion which became due in the year 1994. The documents annexed with the second Compilation of the O.A. shows that the applicant had earlier filed a representation to the respondents for grant him promotion on 5.4.2005 and thereafter he did not act expeditiously/promptly. The applicant is guilty of laches and not acting diligently before the Court. By allowing the applicant to maintain this O.A., it will be disturbed the right of other persons who have been promoted on higher post in the meanwhile. It is, however, made clear that the applicant may pursue his representation, if any, pending before the

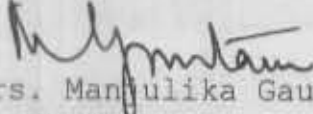
*See.*

(13)

authorities concerned and it is expected <sup>or that</sup> ~~from~~ the concerned departmental authority <sup>shall</sup> ~~to~~ consider and decide the pending representation of the applicant within a period of three months from the date of receipt of a certified copy of this order.

2. The O.A. stands dismissed with the above observations.

3. There shall be no order as to costs.

  
(Mrs. Manjulika Gautam)  
MEMBER-A

  
(Justice A.K. Yog)  
MEMBER-J