

O.A./15/87

(6)

Coram : Hon'ble Mr P Srinivasan .. Administrative Member
Hon'ble Mr P M Joshi .. Judicial Member

29/6/1987

This application has been restored by our order
dated 7.5.1987. Notices were ordered to be issued returnable
within 45 days and it was adjourned to 29.6.1987.

When the matter was called out, applicant is not present. It is reported that notices were not duly served upon the respondent passed in M.A./169/87.

O.A. 15/87

The case is adjourned to 27.7.1987. Issue notices to the respondents to file reply on or before that date.

Q/H/29/6
(P Srinivasan)
Administrative Member

Jmp
(P M Joshi)
Judicial Member

(W)

CORAM : HON'BLE MR P H TRIVEDI : VICE CHAIRMAN

HON'BLE MR P M JOSHI : JUDICIAL MEMBER

27/07/1987ORAL ORDER

Per : Hon'ble Mr. P M Joshi. .. Judicial Member

Heard Mr C J Shah. This is an application filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985, claiming the relief in respect of his seniority which according to him (Applicant) has been denied since 10.6.1968. Heard Mr C J Shah learned counsel for the applicant. The applicant when given promotion refused the same and he had requested the authorities to allow him to excercise the option to be retained in his parent establishment. Evidently the action in this regard taken by the respondent was conveyed in the year 1973. He was refused to excercise the option and a detailed reply has been given by the respondent to the applicant by the Divisional Office under its letter dated 16.10.1984 wherein the factual position and the actions taken with regard to his claim has been elaborately considered and conveyed to the applicant. Having regard to the facts and circumstances of this case and especially when the claim of seniority has been refused by the respondents since the year 1973, the applicant's claim for the seniority is barred by limitation. Any cause which accrued 3 years prior to the establishment of the Tribunal cannot be entertained by this Tribunal, under Section 21 of the Central Administrative Tribunals Act, 1985.

With this observations we do not find any merits in the present application and reject the same in limine.

Ph
 (P H TRIVEDI)
 VICE CHAIRMAN

Sm
 (P M JOSHI)
 JUDICIAL MEMBER

MA/169/87

in

OA/15/87

(6)

Coram: Hon'ble Mr. P.H. Trivedi
Hon'ble Mr. P.M. Joshi

: Vice Chairman
: Judicial Member

7.5.1987

O.A.15/87 which was treated as disposed of as withdrawn is restored. Amendment allowed in O.A.15/87. Learned advocate for the applicant to carry out the amendment. Issue notice for reply. Pending admission. M.A.169/87 stands disposed of accordingly. ~~Notice to be given within 45 days. Adm. to 29-6-87.~~

PH Trivedi

(P.H.Trivedi)
Vice Chairman

PM Joshi
(P.M.Joshi)
Judicial Member