

O.A./15/87

(3)

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, <sup>in M.A. 169/87</sup> 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 <sup>as per order</sup> 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.

  
( P Srinivasan )  
Administrative Member

  
( P M Joshi )  
Judicial Member

(W)

CORAM : HON'BLE MR P H TRIVEDI : VICE CHAIRMAN  
HON'BLE MR P M JOSHI : JUDICIAL MEMBER

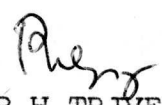
27/07/1987

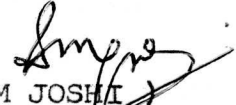
O R A L O R D E R

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 exercise 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 exercise 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.

  
( P H TRIVEDI )  
VICE CHAIRMAN

  
( P M JOSHI )  
JUDICIAL MEMBER

MA/169/87  
in  
OA/15/87

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Coram: Hon'ble Mr. P.H. Trivedi : Vice Chairman  
Hon'ble Mr. P.M. Joshi : 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 served within 45 days. Dated 29-6-87.*

*P.H. Trivedi*

(P.H.Trivedi)  
Vice Chairman

*P.M. Joshi*

(P.M.Joshi)  
Judicial Member