

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.NO. 588/2005

FRIDAY, THIS THE 30TH DAY OF AUGUST, 2005.

C O R A M

**HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN
HON'BLE MR. GEORGE PARACKEN, JUDICIAL MEMBER**

Joe Chirayath
GDS Stamp Vendor
Office of the Sub Record Officer
Railway Mail Service 'EK' Division
Thrissur.Applicant

By Advocate M/s P. Santhoshkumar & TA Rajan

Vs.

1. **Union of India rep. by the
Secretary, Ministry of Communication
New Delhi.**
2. **The Senior Superintendent
Railway Mail Service, EK Division
Ernakulam.Respondents**

By Advocate Mr. Varghese P. Thomas, ACGSC

ORDER

HON'BLE MRS. SATHI NAIR, VICE CHAIRMAN

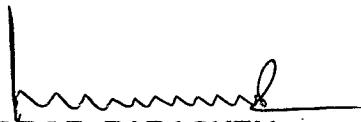
The applicant is working as GDS Stamp Vendor in the office of the Sub Record Officer, Trichur and was initially engaged as a Casual Mazdoor in October, 1982 and later appointed as E.D. Agent in 1990. His claim is for regular absorption as a Group-D employee from the date many of his so called juniors were appointed as ED Agents. The order impugned in the O.A. is at Annexure A3 which is a rejection of his representation dated 23.1.04 on the ground that it was time barred as it relates to the appointment of GDS made 21 years ago.

2. It is evident from the records that the cause of action for the applicant arose in 1982 when the recruitment to the post of ED Mail Man in which the applicant had also participated but was not selected, another four persons had been selected and they were later absorbed as Group-D in 1994. The applicant was later selected an E.D.

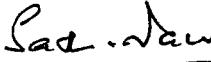
Agent only in 1990. He did not challenge the selection made in 1982-83 nor the absorption of the aforesaid four persons in 1994 when he was also an ED Agent from 1990. Having chosen to keep quiet for more than twenty years and representing the matter only on 23.1.2004, the respondents were absolutely right in rejecting his request as time barred.

3. The same argument holds good as far as the question of litigation before this Tribunal is also concerned, though the applicant submits that he is only challenging the rejection of his representation by the respondents in 2004. Since the representation itself is time barred and submitted after a delay of 20 years, the Original Application before this Tribunal is hopelessly barred by limitation and accordingly the O.A. is dismissed. No costs.

Dated the 30th August, 2005.


GEORGE PARACKEN
JUDICIAL MEMBER

kmm


SATHI NAIR
VICE CHAIRMAN