

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA 147/2000

Thursday the 10th day of February, 2000.

CORAM

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER
HON'BLE MR G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

A.G.Manikandan
S/o Shri A.N.Gopalan Nair
Employee No.4711, TTA
Office of the Sub Divisional Engineer
Installation II, D.Tax Building
Ernakulam.

..Applicant.

(By advocate Mr A.G.Prakash)

Versus

1. Union of India represented by
Secretary
Ministry of Communications
New Delhi.

2. The General Manager
Telecom District
Ernakulam, Cochin-16.

..Respondents

(By advocate Mr.Govind K.Bharathan, SCGSC)

The application having been heard on 10th February, 2000, the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR A.M.SIVADAS, JUDICIAL MEMBER

Applicant seeks to direct "the respondent" to allow him to continue TTA officiating from 15-3-96 upto 23-12-97 the date on which he was posted to TTA cadre (Restructured Cadre) and to direct "the respondent" to allow the applicant to get TTA officiating with effect from 1.1.94.

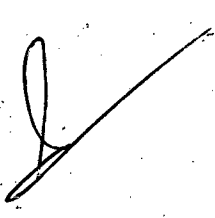
2. The applicant says that he was working in New Technology Area since 6-7-93 to 30-8-97 at Kattappana CDOT SBM

and thereafter at SDE E10B/DCB installation. An office letter from the Department of Telecommunication granting officiating from 1-1-94 was issued. A clarification was also issued. He was given officiating accordingly. He officiated for a period of 172 days from 23-3-96. As per office letter No.16/6/96/TE-II dated 17.7.97 the staff already officiating in the restructured cadre should not be reverted.

3. There are two respondents in the party array. It is not known against whom the applicant is seeking the reliefs since the reliefs sought are against "the respondent".

4. From a reading of the OA it is clearly seen that the cause of action has arisen as early as on 17-7-97. The applicant has specifically stated in the OA that he submitted several representations before the Department of Telecommunication and A4 is copy of one of those representations. When was the earliest representation submitted, the applicant did not divulge.

5. By filing successive representations, limitation cannot be saved. Since the cause of action has arisen on 17-7-97 and as successive representations cannot save limitation and that this OA was filed only on 27.1.2000 this OA is apparently barred by limitation.

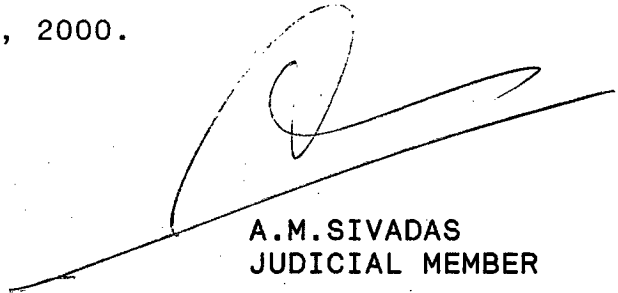


6. Accordingly we do not find any ground to admit this OA and the same is dismissed.

Dated 10th February, 2000.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A.M. SIVADAS
JUDICIAL MEMBER

aa.

Annexures referred to in this order:

A4: True copy of representation dated 9.10.98 submitted by the applicant to the respondent.