

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.228 of 1999

Thursday this the 25th day of February, 1999.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. R.K. AHOOJA, ADMINISTRATIVE MEMBER

V.V.Susannamma, aged 44 years,
W/o PV Paily,
Stenographer Grade II,
Naval Aircraft Yard, Kochi.4.
residing at L5/58,
Changampuzha Nagar PO,
Kalamassery.

...Applicant

(By Advocate Mr. K.S.Bahuleyan)

Vs.

1. The Commodore Superintendent,
Naval Aircraft Yard, Kochi.
2. The Flag Officer-Commanding-in-Chief,
Southern Naval Command, Kochi.4.
3. Union of India, represented by the
Secretary, Ministry of Defence,
New Delhi.
4. Chief Staff Officer (P&A),
Headquarters, Southern Naval Command,
Kochi.4.

...Respondents

(By Advocate Mr.Govindh K Bharathan, SCGSC (rep.)

The application having been heard on 25.2.99, the Tribunal
on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who is presently working as
Stenographer Gr.II in the Naval Aircraft Yard, Kochi is
aggrieved that she was not considered for promotion as
Stenographer Gr.II on 24.12.94 when a vacancy arose or
atleast on 19.1.95 when another vacancy arose but was
promoted only in the month of November, 1995. Therefore,
the applicant has filed this application for a declaration
that she is entitled to be considered for promotion to the

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post of Stenographer Grade II with retrospective effect from 24.12.94 the date of occurrence of the vacancy during the year 1994 or atleast from 19.1.95 the date of promotion of her immediate senior with all consequential benefits setting aside A2 and A4 letters by which her representations were rejected.

2. We have gone through the application and have heard the learned counsel. The grievance of the applicant of non-consideration for promotion to the post of Stenographer Gr.II was either arose on 24.12.94 or on 19.1.95. She did not agitate the issue at the relevant time. The applicant was promoted in November, 1995. A reply given to the belated representations A2 and A4 does not revive the cause of action which had already been time barred by limitation. Therefore, this application is rejected under Section 19(3) of the Administrative Tribunals Act. No order as to costs.

Dated the 25th day of February, 1999.

RkA

R.K. AHOOJA
ADMINISTRATIVE MEMBER



A.V. HARIDASAN
VICE CHAIRMAN

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LIST OF ANNEXURES

1. Annexure A2: True copy of letter No.CS 3525/44(2) dated 24.2.98 issued by the second respondent.
2. Annexure A4: True copy of letter No.CS 2762/15 dtd. 6.1.1999 issued by the second respondent.
