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CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH, LUCKNOW

Original Application No. 422/2011

This, the 11 day of November, 2011

Hon'ble Mr. Justice Alok Kumar Singh, Member (J)

Harinam, aged about 31 years son of late Banshi Lal, resident of Baithali P.O. Chhanoiya, Dist. Hardoi.

Applicant.

By Advocate: Sri Manoj Kumar Singh

Versus

1. Union of India through Secretary, Ministry of Railway, Govt. of India, New Delhi.
2. Assistant Personnel Officer, Northern Railway, Moradabad.
3. Chief Controller, Head Office, Northern Railway, Baroda House, New Delhi.
4. Mukhya Path Nirikshak, Northern Railway, Shahjahanpur.
5. Mukhya Path Nirikshak, Northern Railway, Sandila Dist. Hardoi.

Respondents.

By Advocate: Sri S.Verma

ORDER (Dictated in Open Court)

By Hon'ble Mr. Justice Alok Kumar Singh , Member (J)

Heard and perused the material on record.

2. According to the facts of the case, applicant's father died in 1992. It is said that his wife (widow) performed re-marriage and elder sister also got married. Therefore, they could not take any interest in seeking retiral dues or any compassionate appointment. The applicant became major in the year 1999. He also did not take any action for several years. It is said that in the year 2005, he for the first time moved a representation addressed to the Railway Board Chairman. But no such copy of representation has been filed. But today a copy has been submitted for perusal. It is however not on record. Thereafter, it is said that on 23.9.2010, i.e. after about five years, again a representation (Annexure 1) was moved which is addressed to Sachiv, Pradhan Karyalaya, Uttar Railway, Baroda House, New Delhi but there is no such post in the Railway. It is said that copy of the same was also endorsed

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to Divisional Manager. Then he filed a writ petition before the Hon'ble High Court in the year 2011, which was dismissed as withdrawn with liberty to approach the CAT vide order dated 16.3.2011 (Annexure 7).

3. From the other side, it is said that repeated representations cannot extend the prescribed period of limitation as the law is settled on the point. This submission has substance.

4. In view of the above, this O.A. appears to be highly time barred and therefore, it is dismissed without admission. No order as to costs.

Alok Kumar Singh
(Justice Alok Kumar Singh)
Member (J)

HLS/-