

CENTRAL ADMINISTRATIVE TRIBUNAL LUCKNOW BENCH LUCKNOW

ORIGINAL APPLICATION NO: 212/2003.

this, the 11th day of August 2003.

HON. MR. A.K. MISRA MEMBER(A)

HON. MR. A.K. BHATNAGAR MEMBER(J)

Anant Ram, aged about 58 years son of Late Shri Jeevan Lal, Resident of Village Purainiya, Police Station Kharabupur, Post: Bangai, District, Gonda.

....Applicant.

BY ADVOCATE SHRI J.J.R. SETH.

VERSUS

1. The Union of India, through Chairman, Railway Board, "RAIL BHAWAN", New Delhi.
2. The Divisional Railway Manager (DRM-Personnel), North East Railway (NER), Lucknow.

....Respondents.

BY ADVOCATE SHRI S.M.S. SAXENA.

ORDER(ORAL)

BY A.K. MISRA MEMBER(A)

AM
The relief claimed in this O.A. is for issue of directions to the Opp. Party No. 2 to consider the applicant for the post

of Key man or on the post on which juniors to the applicant are working and consequential benefits at par to his juniors be also provided to him. Alternative relief which has been prayed ^{to} ~~that~~ directions be issued to the respondent No. 2 to consider the applicant's salary in the revised pay scale of 2650-4000 alongwith consequential benefits.

2. The learned counsel for the parties have been heard on the question of maintainability of the O.A.

3. The O.A. is apparently barred by limitation by a period of about 9 years ^{as} and the cause of ~~the~~ action for the applicant first arose in the year 1993 as stated by the applicant himself in para three of the Original Application. The O.A. is accompanied by application for condonation of delay filed under M.P. NO. 1005/2003. We have gone through the contents of the application for condonation of delay, and we find that no cogent reason has been given for the delay in filing the present O.A. Since, the O.A. has been filed 9 years after ^{on which} the date ~~from~~ the cause of action arose, the O.A. is liable to be dismissed as barred by limitation under Section 21 read with Section 20 of the AT ACT.

4. On behalf of the applicant, it was submitted that repeated representations ~~have~~ been made right from 1996 to 2003. It is settled law that repeated representations do not extend the period of limitation. Accordingly, representations made from 1996 to 2003 would not help the applicant in any manner.

5. In view of the foregoing, the O.A. is dismissed as barred by limitation. The respondents are however, ^{given} liberty to decide the applicant's representations, at their option

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MEMBER(J)


MEMBER(A)