

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

ORIGINAL APPLICATION NO.: 27 of 2000

Dated this Friday, the 14th day of February, 2003.

CORAM : Hon'ble Shri S. L. Jain, Member (J)
Hon'ble Smt. Shanta Shastry, Member (A)

Mrs. Neelam J. Sharma (TGT English),
P-84, Badhwar Park,
Cuffe Parade,
Colaba,
Mumbai - 400 005.

... Applicant.

(None present)

VERSUS

1. Union of India through
The Secretary,
Ministry of Human & Resources
Development,
Shastri Bhavan,
New Delhi.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shaheed Jeet Singh Marg,
New Delhi.

... Respondents.

(By Advocate Smt. H. P. Shah)

O R D E R (ORAL)

PER : Shri S. L. Jain, Member (J)

None present for the Applicant. We are proceeding under
Rule 15 of the C.A.T. Procedure Rules, 1987.

2. Heard Smt. H. P. Shah, Learned Counsel for the
Respondents. Smt. Shah submitted that this Tribunal has no

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jurisdiction in view of what is stated in para 2 of the reply. On perusal of O.A. we find that the Applicant resides at Colaba, as such plea of jurisdiction fails on the ground as the Applicant is entitled to agitate the matter where he resides.

3. Learned Counsel for the Respondents submitted that the O.A. is barred by time. On perusal of the relief sought, we find that the Applicant is challenging the order dated 27.12.1997 and 20.01.1997 (correctly speaking 27.12.1996 Exhibit 'A-1' page 14) and 20.01.1997. The Applicant has filed this O.A. on 08.12.1999. On perusal of para 3 of the O.A. we find that the applicant claims the O.A. to be within the period prescribed under Section 21 of the Administrative Tribunals Act, 1985. She has further pleaded that she preferred a representation dated 19.06.1998 to the Honourable Minister and it is pending in the office for consideration. No such representation to the Minister exist. The pendency of such representation will not extend the period of limitation. As such, we find that the O.A. is filed beyond the period of one year prescribed under Section 21 of the Administrative Tribunals Act, 1985.

4. The O.A. is barred by time and deserves to be dismissed and is dismissed accordingly. No costs.

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(Smt. Shanta Shastry)
Member (A).

J (Smt.)

(S. L. Jain)
Member (J).

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