

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH, MUMBAI.

REGISTRATION NO. OA - 801 of 1998

DATE OF ORDER : 23.06.2000

A.C. Desai, working as Hindi Superintendent under Divisional Railway Manager, D.R.M.'s office, Rajkot Division, Western Railway, Rajkot (Gujarat) - 360 001, presently residing at 10, Millpara, Opp. Rehman Piyavo, Rajkot - 360 002.

.....APPLICANT.

By Advocate Shri G.S. Walia.

Versus

1. Union of India, through the General Manager, Western Railway, Headquarters office, Churchgate, Mumbai - 400 020.
2. Chief Personnel Officer, Western Railway, Headquarters office, Churchgate, Mumbai - 20.
3. Hiralal, working as Office Superintendent (Hindi), D.R.M.'s office, Baroda Division, Western Railway, Baroda.
4. Ramchandra Yadav, working as Hindi Assistant Gr.-I, D.R.M.'s office, Ajmer Division, Western Railway, Ajmer.

.....RESPONDENTS.

By Advocates Shri V.S. Masurkar and Shri S.V. Masurkar.

C O R A M

Hon'ble Mr. L. Hmingliana, Member (A)

Hon'ble Mr. Rafiquddin, Member (J)

O R D E R

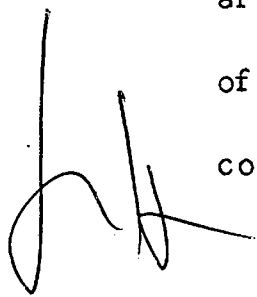
L.Hmingliana, Member (A):-

The applicant is a Hindi Superintendent in the office of the DRM, Rajkot, and the OA is for deletion of the names of respondents No. 3 and 4 in the panel dated 29.3.1994 of Group 'C' government servants for

promotion as Assistant Hindi Officers, and for inclusion of his name in the impugned panel. The respondent No. 4 is also one of the respondents in OA 589/94 filed by two other group 'C' officers, challenging the inclusion of his name and that of respondent No. 3 in the same panel. We heard this matter together with OA 589/94 and another OA 1048/98, ~~but~~ ~~and~~ we are passing separate orders in each OA.

2. The applicant joined service in 1964 as Clerk, and he joined Hindi section as Hindi Assistant Gr.III in October, 1977. It is his case that he was ~~£~~ senior to respondents No. 3 and 4 in the basic grade, but the two respondents reached the feeder cadres for promotion as Assistant Hindi Officer ahead of him, because they belong to Scheduled Castes and they were promoted to the feeder cadres in the reserved quota for Scheduled Castes before he could be promoted in the general category quota, and that they were not entitled to seniority over him in the feeder cadres, and to be included in the impugned panel ahead of him.

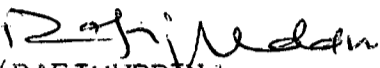
3. The OA was filed on 23.6.1998, which was after the expiry of more than four years from the date of the impugned panel. There is no application for condonation of delay. Then, the OA is clearly barred

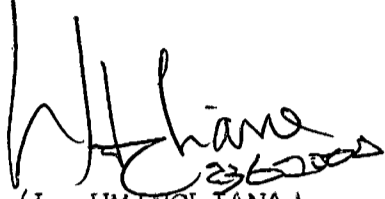


by limitation, and it has to be dismissed for that reason.

4. The OA is dismissed on the ground of limitation.

There shall be no order as to costs.


(RAFIQUDDIN)
MEMBER (J)


(L. HMINGLIANA)
MEMBER (A)

/CBS/