

(26)

Central Administrative Tribunal

HYDERABAD BENCH : AT HYDERABAD

O.A. No. 265/91.

Date of Decision : 5-6-1991.

T.A.No:

Petitioner.

Advocate for the
petitioner (s)

Versus

Respondent.

Advocate for the
Respondent (s)

CORAM :

THE HON'BLE MR. B.N.JAYASIMHA : VICE-CHAIRMAN

THE HON'BLE MR. J.NARASIMHA MURTHY : MEMBER (J)

1. Whether Reporters of local papers may be allowed to see the Judgement? *no*
2. To be referred to the Reporter or not? *no*
3. Whether their Lordships wish to see the fair copy of the Judgment? *no*
4. Whether it needs to be circulated to other Benches of the Tribunal? *no*
5. Remarks of Vice Chairman on columns 1, 2, 4
(To be submitted to Hon'ble Vice Chairman where he is not on the Bench)

BNJ
(BNJ)
VC

JNM
(JNM)
M(J)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

DA 265/91.

Date of Order: 5-6-1991.

Syed Ibrahim

....Applicant

Vs.

1. The Chief Postmaster General,
Andhra Circle, Hyderabad.

2. The Sr. Superintendent of Post
Offices, Hyderabad South East
Division, Hyderabad-27.

....Respondents

Counsel for the Applicant : Syed Imbrahim (party-in-person)

Counsel for the Respondents : Shri Naram Bhaskar Rao,
Addl.CGSC

CORAM:

THE HON'BLE SHRI B.N.JAYASIMHA : VICE-CHAIRMAN

THE HON'BLE SHRI J.NARASIMHA MURTHY : MEMBER (J)

(order of the division bench delivered by
Hon'ble Shri B.N.Jayasimha, VC).

The applicant is a retired Sub-Post Master.

He has filed this application seeking a direction to the

Respondents to promote him with retrospective date from

^a ~~from which~~
~~which~~ date he is due for promotion from the Lower Selection

Grade.

2. The applicant states that though he has passed
the examination for the promotion to the Lower Selection
Grade held on 13-6-76 he was given promotion from 16-1-82.
him
He contends that the time taken in giving/promotion is too

BN's

.....2.

abnormal, and that another examination was held in 1978 and candidates passed in the subsequent examination were also given promotion along with the applicant.

3. We have heard the applicant, who appeared in person and Shri Naram Bhaskar Rao, learned standing counsel for the Respondents. In this case the applicant retired from service in the year 1989 and he is seeking promotion which according to him was due in the year 1978. Admittedly the cause of action arose in 1982 or earlier. The applicant ought to have sought redressal immediately thereafter. The applicant also does not specify the date from which he seeks his promotion. Mere representations made long after his retirement will not save limitation. Further under section 21(2) of the A.T.Act, 1985, this Tribunal has no jurisdiction to entertain an application in which the cause of action arose three years prior to the constitution of this Tribunal. In the circumstances the application is barred by limitation is dismissed with no order as to costs.

BNT Jayasimha
(B.N.JAYASIMHA)
Vice-Chairman

MS
(J.N.MURTHY)
Member (J)

AS Deek
Dated: 5th June, 1991. *Deputy Registrar (J)* 13/6/91
Dictated in Open Court

av1/
To

1. The Chief Postmaster General, Andhra Circle, Hyderabad.
2. The Sr. Superintendent of Post Offices, Hyderabad South East Division, Hyderabad-27.
3. One copy to Mr. Syed Ibrahim, party-in-person, 17-8-419/2E, Bagh Jahanara, Yakutpura P.O. Hyd-23.
4. One copy to Mr. N. Bhaskar Rao, Addl. CGSC.CAT.Hyd.
5. One spare copy.

pvm

*Padma
13/6/91*

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ASTR
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TYPED BY

COMPARED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

THE HON'BLE MR. B. N. JAYASIMHA: V.C.
AND
THE HON'BLE MR. D. SURYA RAO: M(J)
AND
THE HON'BLE MR. J. NARASIMHA MURTHY: M(J)
AND
THE HON'BLE MR. R. BALASUBRAMANIAN: M(A)

DATED: 5 ~~2~~ 6-1991. ✓

ORDER/ JUDGMENT. ✓

M.A./R.A./C.A. No.

T.A. No.

int

W.P. No.

O.A. No.

265/9

Admitted and Interim directions
issued.

Allowed.

Disposed of with direction.

Dismissed. ✓

Dismissed as withdrawn.

Dismissed for default.

M.A. Ordered/Rejected.

No order as to costs.

