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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH,
JAIPUR.

Date of Decision: June 24, 1993.

OA 316/93

GANPAT LAL SHARMA

... APPLICANT.

Vs .

UNION OF INDIA & ORS.

... RESPONDENTS.

CORAM:

HON. MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.
HON. MR. O.P. SHARMA, ADMINISTRATIVE MEMBER.

For the Applicant

... SHRI W.WALES.

For the Respondents

... ---

PER HON. MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.

Facts of the case are that a written test was conducted in January, 1990, and thereafter, following the process of selection, Shri Narayanlal Shrimali was promoted vide order dated 29.6.90. The applicant submitted a representation (Annexure A-10) on 14.4.90 against the selection process, stating therein that his name has wrongly been placed below Shri Narayanlal Shrimali in the panel/zone of consideration. This representation, according to him, was not decided for three years, and he filed this OA on 25.5.93.

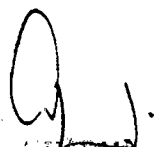
2. Shri Narayanlal Shrimali was promoted and thereafter again the process of selection and promotion took place and the applicant's name finds place at Sl.No.32 in the selection list issued vide Annexure A-3 dated 23.7.91. The applicant, even upto this date, has not moved the court. Under Section 21 of the Administrative Tribunals Act, the period of limita-


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tion for filing application before the Tribunal is prescribed. Since he was aggrieved by order dated 29.6.90 promoting Shri Narayanlal Shrimali, he could have been filed the OA upto 29.6.91 but he did not do so in spite of the fact that his name was considered in a subsequent DPC meeting and he was promoted subsequently vide order dated 23.7.91. The applicant submitted a representation against his non-promotion and promotion of Shri Narayanlal Shrimali in April, 1990. He could have waited upto October, 1990, to see the outcome of his representation and thereafter he should have moved the Tribunal within a period of one year. He did not file an OA before this Tribunal even within this period.

3. Thus, the application is hopelessly time barred and no application for condonation of delay has even been filed. The OA is, accordingly, rejected with no order as to costs.


(O.P. SHARMA)
MEMBER (A)


(D.L. MEHTA)
VICE CHAIRMAN