

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Decision: 21.7.93.

CA 392/93

C.O. KUNJUKUTTY ... ... APPLICANT.

A 2

Vs.

UNION OF INDIA & ORS. ... ... RESPONDENTS.

CORAM:

HON. MR. GOPAL KRISHNA, MEMBER (J).  
HON. MR. O.P. SHARMA, MEMBER (A).

For the Applicant ... ... SELF.

For the Respondents ... ... -

PER HON. MR. GOPAL KRISHNA, MEMBER (J).

In this application u/s 19 of the Administrative Tribunals Act, 1985, (for short, the Act) the applicant, C.O. Kunjukutty, has prayed that the respondents be directed to amend the impugned circular dated 27.5.81 suitably and that the effect of this circular be given retrospectively from the year 1980, and further that the applicant be declared to have passed the Departmental Income Tax Inspectors examination w.e.f. the year 1980 on the basis of marks obtained in the year 1979 and 1980.

2. We have heard the applicant and perused the records.

3. The applicant made a representation to the Directorate of Income Tax, (IT & A) (Examination), New Delhi, vide Annexure A-4 dated 24.11.92 for consideration of his case and making a request for application of the condition of aggregation evenly in the year 1980 as it was applied in the case of other candidates and for a declaration that he had fully qualified in the Departmental examination for Inspectors held in 1980 instead of having been declared to have passed it in 1981. The rejection

*Circular*

of the representation was conveyed to the applicant vide Annexure A-5 dated 23/26.4.93. The applicant was aggrieved by the circular dated 27.5.81 and the declaration of his result in the examination held in 1980. The applicant agitated his grievance after a lapse of more than ten years when he made a representation to the concerned authority. In the present case, the cause of action arose in 1981. The applicant should have approached an appropriate forum for the redressal of his grievance expeditiously but he slept over this matter for a considerably long time. Since the cause of action accrued to the applicant more than three years prior to 1.11.85, this application is hit by the bar of limitation as prescribed u/s 21(2) of the Administrative Tribunals Act, 1985. This Tribunal has no jurisdiction to entertain the present petition.

4. This OA is, therefore, dismissed at the admission stage itself on the ground of limitation. No costs.

O.P. SHARMA  
MEMBER (A)

Gopal Krishna  
MEMBER (J)