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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 8.4.97

OA 384/96

R.P.Nagar, Inspector, Central Excise Range Rural-I, Kota.

... Applicant

Versus

1. Union of India through the Chairman, Central Board of Excise and Customs, North Block, Central Secretariat, New Delhi.
2. The Commissioner, Central Excise and Customs, Central Revenue Building, Near Statue Circle, Jaipur.

... Respondents

CORAM:

HON'BLE MR.GOPAL PRISHNA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicant

... Mr.Manish Bhandari

For the Respondents

...

O R D E R

PER HON'BLE MR.GOPAL PRISHNA, VICE CHAIRMAN

Applicant, R.P.Nagar, in this application u/s 19 of the Administrative Tribunals Act, 1985, has sought a direction to the respondents to accord promotion to him to the post of Inspector, Central Excise and Customs, against the vacancy of the year 1982 with all consequential benefits.

2. We have heard the learned counsel for the applicant and have gone through the records of the case.

3. The case of the applicant is that he was wrongfully denied promotion to the post of Inspector, Central Excise and Customs, in the year 1982. He made a representation in regard to his grievance vide Ann.A-3 but the same was rejected by an order dated 1.1.96, at Ann.A-1. It is stated in Ann.A-1 that the applicant was not in the cone of consideration, prepared at the time of holding of the DPC on 30.8.82 in view of instructions prevailing at that time on the subject. However, he was considered by the DPC held on 26.3.83 but was not found fit for promotion. The cause of action had actually accrued to the applicant in the year 1983 when he was not adjudged suitable for promotion. The present OA has been filed on 14.6.96, after a considerable lapse of time and it is, therefore, hopelessly barred by limitation.

4. The OA is dismissed as being barred by limitation, at the stage of admission.

(O.P.SHARMA)
ADMINISTRATIVE MEMBER

C. K. Khanna
(GOPAL PRISHNA)
VICE CHAIRMAN

VK