

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

O.A No.259 /1997

Date of order: 31.10.2000

Vijay Kumar Jain S/o late Shri C.K.Jain R/o 12/693, Malviya Nagar,  
Jaipur working as UDC in the office of Regional Director, ESI  
Corporation, Jaipur

...Applicant.

Vs.

1. Union of India through the Secretary, Ministry of Labour, New Delhi.
2. Director General, ESIC, Panchdeep Bhawan, New Delhi.
3. Regional Director, ESIC, Panchdeep Bhawan, Jaipur.
4. Shri Moti Singh, UDC, in the office of Regional Director, ESIC, Panchdeep Bhawan, Jaipur.

...Respondents.

Mr.P.V.Calla - Counsel for applicant.

Mr.U.D.Sharma - Counsel for respondents.

CORAM:

Hon'ble Mr.Justice Ashok Agarwal, Chairman

Hon'ble Mr.N.P.Nawani, Administrative Member

PER HON'BLE MR.JUSTICE ASHOK AGARWAL, CHAIRMAN.

By the present OA, applicant claims proforma promotion w.e.f. 24th January, 1990, the date when his junior, respondent No.4 herein, was granted ad hoc promotion from the post of Lower Division Clerk to that of Upper Division Clerk. In our judgment, the aforesaid claim cannot be considered in the present OA which has belatedly been filed after expiry of the period of limitation. The applicant had submitted his first representation making the aforesaid claim on 15th December, 1992. By an order passed on 24th December, 1992 the aforesaid claim was declined. Applicant thereafter submitted his second representation on 16th June, 1993 which was rejected by an order dated 29th July, 1993. Applicant thereafter submitted his third representation on 17th January, 1994 and

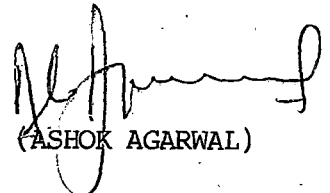
the same was rejected by an order passed on 15th April, 1994. Applicant thereafter submitted yet another representation being his fourth representation on 31st December, 1996, which again by an order passed on 5th February, 1997 was rejected. Applicant has thereafter proceeded to institute the present OA on 20th January, 1997.

2. In our judgment, repeated representations will not and cannot extend the period of limitation. As far as the present claim of the applicant is concerned, his first representation has been rejected way back on 24th December, 1992. In the circumstances, the present OA which has been belatedly filed on 20th June, 1997 is hopelessly barred by limitation. The same is accordingly dismissed. No order as to costs.



(N.P. NAWANI)

Adm. Member



(ASHOK AGARWAL)

Chairman