

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Decision: 20.3.2002

OA 117/2002 with MA 95/2002

1. Smt.Chhoti Bai widow of Late Shri Ram Kishan r/o Paharganj, Ajmer.
2. Ramesh Chand s/o Late Shri Ram Kishan r/o Panch Dukan, Paharganj, Ajmer.

... Applicants

Versus

1. Union of India through General Manager, W/Rly, Churchgate, Mumbai.
2. Chairman, Railway Board, Rail Bhawan, New Delhi.
3. Divisional Railway Manager, DRM Office, Ajmer.

... Respondents

CORAM:

HON'BLE MR.A.P.NAGRATH, ADM.MEMBER

For the Applicants

... Mr.M.C.Chansoria

O R D E R

PER HON'BLE MR.A.P.NAGRATH, ADM.MEMBER

This is a case arising out of rejection of the request of the applicant for appointment on compassionate grounds, vide letter dated 10.7.96 (Ann.A/5). The learned counsel for the applicant submits that after rejection of this request the applicant had been making representations and meeting concerned officers of the department personally



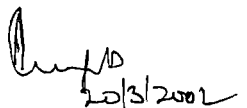
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but he met with no response. He has also stated to have submitted a representation dated 13.8.98 (Ann.A/7) but there has been total silence from the department. Thus, the applicant had no other alternate but to approach this Tribunal by way of this OA.

2. Admittedly, in this case the cause of action arose in favour of the applicant when his request for appointment on compassionate grounds was rejected. This was done vide letter dated 10.7.96 (Ann.A/5). Under Section 21 of the Administrative Tribunals Act, 1985, the Tribunal can entertain an application provided the same is filed within one year from the date the final order in connection with the grievance, or an order rejecting appeal/representation made against such order has been passed. It is the settled law that such an appeal/representation should have been provided for under the rules. It is also the established legal position that repeated representations do not extend limitation.

3. The learned counsel submits that he has also filed an MA No.95/2002 seeking condonation of delay. The only plea taken in this MA is that the applicant has been meeting the higher authorities personally but has not met with any response. This is not a ground sufficient to condone the delay of almost six years. MA 95/2002 for condonation of delay stands dismissed.

4. This application is hopelessly barred by limitation and the same is dismissed in limine.


20/3/2002
(A.P. NAGRATH)

ADM.MEMBER