

(1)

CENTRAL ADMINISTRATIVE TRIBUNAL,  
JABALPUR BENCH  
JABALPUR

Original Application No. 461 of 2006

Jabalpur, this the 21<sup>st</sup> day of July, 2006

Hon'ble Dr. G.C. Srivastava, Vice Chairman  
Hon'ble Shri A.K. Gaur, Judicial Member

R.R. Pal, S/o. Ram Das Pal,  
Aged about 53 years,  
Presently O.S. II,  
R/o. Diesel Railway Colony,  
Quarter No. 113-C, Type RB-II,  
Near Railway Station,  
New Katni, Junction.

Applicant

(By Advocate – Shri A. Dey)

VERUS

1. Union of India,  
Through it's Secretary,  
Ministry of Railway,  
Rail Bhawan,  
New Delhi.
2. The General Manager,  
West Central Railway,  
Jabalpur.
3. The Divisional Railway Manager (P),  
West Central Railway,  
Jabalpur.
4. Sr. D.P.O.,  
West Central Railway,  
Jabalpur.
5. Sr. D.M.E.(Diesel),  
West Central Railway,  
New Katni Junction.
6. Shri R.C. Trivedi,  
Retired O.S. II,  
Diesel Railway Colony,  
RB-II, 205-B,  
New Katni Junction.

7. Shri B.S. Raghuwanshi,  
Retired COS,  
Vill - Naval, P.O. Shohagpur,  
Hosangabad, M.P.

8. Shri T.P. Singh,  
Retired OS II, Shivaji Ward,  
Behind Suvidha Telecom,  
New Katni Junction. ....

Respondents

O R D E R (Oral)

By A.K. Gaur, Judicial Member -

Heard Shri A. Dey, learned counsel for the applicant and Shri M.N. Banerjee, Standing Counsel for the Railways appearing for the respondents.

2. The grievance of the applicant in the present OA is that he has not been promoted as OS Grade-II in the year 1993. The applicant was promoted only in the year 2001. He is aggrieved with the inaction of the respondents whereby his junior respondents Nos. 6, 7 and 8 were promoted on the post of OS Grade-II before him.

3. Shri M.N. Banerjee, Standing Counsel for the Railways appearing for the respondents has raised preliminary objection that the application is not maintainable on the ground of delay and laches. The applicant has challenged the validity of the inaction of the respondents in 2006 only without making any ~~any~~ representation at the time of his promotion in 2001.

4. We have considered this aspect of the matter and we are of the view that this Original Application is time barred and is liable to be dismissed on the ground of delay and laches. We do so accordingly.

*A.K. Gaur*  
(A.K. Gaur)  
Judicial Member

*G.C. Srivastava*  
(Dr. G.C. Srivastava)  
Vice Chairman

“SA”

कृष्णगढ़ सं. ओ/न्या..... जबलपुर, दि.....

पत्रिलिपि दादे छित्र:-

(1) संग्रहीत, उच्च आदरणीय दूत एम्परियल शैल, जबलपुर  
(2) आदरणीय दूत एम्परियल शैल के काउंसल  
(3) उच्चारी धी/शीर्षकी/उच्चारी धी/शीर्षकी के काउंसल  
(4) उच्चारी, दूत एम्परियल शैल के काउंसल

A. Day Dr. 730

M. S. Bawali

72000

सूबला एवं आदरणीय कार्यवाली के

उपरिकृत

उपरिकृत

25/7/06