

**THE CENTRAL ADMINISTRATIVE TRIBUNAL  
JAIPUR BENCH, JAIPUR  
ORDER SHEET**

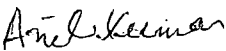

APPLICATION NO.: \_\_\_\_\_

Applicant (S)

Respondent (S)

Advocate for Applicant (S)

Advocate for Respondent (S)

NOTES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
	<p style="text-align: center;"><b><u>28.10.2010</u></b></p> <p style="text-align: center;"><b><u>OA No. 222/2010</u></b></p> <p>None present for applicant.</p> <p>In this case, the grievance raised by the applicant is regarding payment of arrears of increments amounting to Rs.29,580/- for the period from May, 2001 to October, 2004.</p> <p>In Para 3 of the OA, the applicant has stated that the present OA is within limitation prescribed in Section 21 of the Administrative Tribunal's Act, 1985.</p> <p>When the matter was listed on 11.05.2010, opportunity was granted to the applicant filing MA for condonation of delay as cause of action in favour of the applicant accrued prior to year 2004 whereas the present OA has been filed in the year 2010. The payment of arrears of increment for the aforesaid period cannot be said to be a continuous cause of action.</p> <p>In view of what has been stated above, we are of the view that the present OA is hopelessly time barred, which is accordingly dismissed at admission stage itself with no order as to costs. The view which we have taken is in conformity with the law laid down by the Apex Court in the case of <b>Secretary to Government of India vs. Shiv Ram Madhu Gaikwad</b>, 1995 SCC (L&amp;S) 1148, whereby it was held that application before the CAT was time barred and the same could not have been entertained and even the employee make no effort to explain the delay and seek condonation.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="text-align: center;"> (ANIL KUMAR) MEMBER (A)  AHQ</div><div style="text-align: center;"> (M.L. CHAUHAN) MEMBER (J)</div></div>

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No. 1036  
29/10/10  
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