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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. No.509 of 2003

New Delhi, this the 6th day of March, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri A.P. Nagrath, Member (A)

Shri Sudhir Kumar Singhal
S/o Shri Harsaran Dass
R/o Siddeshwar Road Chawan Vihar,
Khurja

....Applicant

(By Advocate : Shri Sant Lal)

Versus

1. The Union of India
Through the Secretary
Ministry of Communications,
Department of Posts,
Dak Bhawan, New Delhi-1.
2. The Chief Postmaster General,
Uttar Pradesh Circle,
Lucknow-226001

....Respondents

ORDER (ORAL)

By Shri Justice V.S. Aggarwal, Chairman :

The applicant had appeared in the departmental examination for appointment as Inspector of Post Offices. The examination was held in June, 1990. The result had been declared but that of the applicant had been withheld because of some departmental proceedings that were pending against him. At this stage, it becomes unnecessary for us to dwell into other controversies on merit but suffice to say that according to the applicant, his provisional candidature had been allowed and the result of the applicant was declared. The applicant submitted an application for re-totalling and verification of the marks. This was done on 11.12.96.

2. To our query, learned counsel for the applicant contends that the period of limitation would run from

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15.1.2003 when letter copy of which is Annexure A-1 has been issued by the Director General (Posts), rejecting his claim and that the applicant from 1996 onwards had been pursuing his matter.

3. The position in law is well settled. Once the period of limitation starts running, unless the provisions of the Administrative Tribunals Act, 1985 permit, it would come to an end after the expiry of one year.

4. Reverting back to the facts of the present case, it is patent that the applicant had submitted an application on 11.12.96 for re-totalling and verification of the marks. If no action was taken for nearly six months, he should have approached the Tribunal. The repeated representations will not extend the period of limitation nor the legal notice dated 18.11.2002 would come to the rescue of the applicant. He had inordinately delayed his right to approach this Tribunal and resultantly it must be held that the application is barred by time. On this short ground, it must fail and is dismissed.

Chpds
(A.P. Nagrath)
Member (A)

VS Ag
(V.S. Aggarwal)

Chairman

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