



CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1148/2003
M.A.NO.1055/2003
M.A.NO.1056/2003
M.A.NO.1210/2003

Wednesday, this the 28th day of May, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri Govindan S. Tampi, Member (A)

1. Shri Raja Ram Tiwari
s/o Shri R.P.Tiwari
2. Shri Tilakdhari Baraik
s/o Shri Hari Nath Baraik
3. Sh. Devendra Singh
S/o Shri Onkar Singh
4. Shri Kewal Krishan Chopra
Sh. S.L.Chopra
5. Shri Anoop Sharma
s/o Shri P.R.Sharma
6. Shri Kavya Kumar
s/o Shri Madhur Shastri
7. Shrii Rajiv Raj
s/o Shri H.P.Srivastava
8. Shri Ved Prakash
s/o Shri Monga Ram
9. Shri Prem Gosain
s/o Shri B.S.Gosain
10. Smt. Meeta Chakerverty (Saxena)
d/o Shri H.P.Chakerverty
11. Smt. Preeti Srivastava (Tawaklay)
d/o Shri B.L.Srivastava

..Applicants

(By Advocates: Shri D.R.Roy)

Versus

Union of India through

1. The Secretary
Ministry of I&B
Shastri Bhawan
New Delhi
2. The Director General
Parsar Bharti
Broadcasting Corporation of India
Doordarshan Bhawan
Mandi House, New Delhi

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3. The Director
Parsar Bharti
Delhi Doordarshan Kendra
Sansad Marg, New Delhi
 4. Vinod Rawat, Floor Manager,
C/o Director DDK,
Sansad Marg, New Delhi.
 5. Ramesh Chander, Floor Manager,
C/o Director DDK,
Sansad Marg, New Delhi.
 6. Ashok Kumar, Production Assistant,
C/o Director DDK,
Sansad Marg, New Delhi.
 7. Pradeep Kumar, Sub Editor,
C/o DTPES,
Akashvani Bhawan,
Sansad Marg, New Delhi.
 8. Girish Chander Dabral, Prod. Asstt.,
C/o Director-General Doordarshan,
Mandi House, New Delhi.
 9. P.K. Agnihotri, Prod. Asstt.,
C/o Director Central Production Centre,
Asiad Village, Khel Gaon Marg,
New Delhi.
 10. Daramvir, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
- Note: Sh. Virender Kumar, & Sh. A.P. Sharma Floor Managers are not being impleaded due to death of Sh. Virender Kumar and Retirement of Sh. A.P. Sharma.
11. R.K. Gupta, Floor Manager,
C/o Director DDK,
Sansad Marg, New Delhi.
 12. P.P. Singh, Floor Manager,
C/o Director DDK,
Sansad Marg, New Delhi.
 13. Smt. Maya Lahenee, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
 14. Nagender Kumar Rai, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
 15. Mahipal Singh Datola, Prod. Asstt.,
C/o Director General Doordarshan,
Mandi House, New Delhi.
 16. Rajesh Kumar Dhingra, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.

17. Ashok Kumar Rai, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
18. T.P. Rai, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
19. Smt. Sunita *Raju*, Prod. Asstt.,
C/o Director DDK,
Mandi House, New Delhi.
20. Km. Saroj Sharma, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
21. Sh. Sarrajveet Verma, Prod. Asstt.,
C/o Director Doordarshan (News),
Asiad Village, New Delhi.
22. Smt. Asha Bhatia, Prod. Asstt.,
C/o Director Doordarshan (News),
Asiad Village, New Delhi.
23. Smt. Asha Khattar, Prod. Asstt.,
C/o Director Doordarshan (News),
Asiad Village, New Delhi.
24. Dhaminder Khosla, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
25. Praveen Kumar, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
26. Narottam Prasad, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
27. Smt. Satvinder Kaur, Prod. Asstt.,
C/o Director Doordarshan (News),
Asiad Village, New Delhi.
28. Manoj Mathur, Prod. Asstt.,
C/o Director DDK,
Sansad Marg, New Delhi.
29. Anupam Yadav, Property Asstt.,
C/o Central Production Centre Doordarshan,
Sansad Marg, New Delhi.
30. P.R.Bhatnagar, Floor Manager,
C/o Director DDK,
Sansad Marg, New Delhi.
31. Smt. Sujata Rawat, Prod. Asstt.,
C/o Central Production Centre Doordarshan,
Asiad Village, Khel Gaon,
New Delhi.

..Respondents

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O R D E R (ORAL)

Shri Justice V.S. Aggarwal:

MA-1210/2003

The applicants have arrayed all those persons who are likely to be affected by any order that may be passed in the Original Application.

Keeping in view the said fact, MA-1210/2003 is allowed. Amended memo of parties is taken on record.

MA-1055/2003

MA-1055/2003 is allowed subject to just exceptions. Filing of joint application is permitted.

OA-1148/2003

The applicants, by virtue of the present application, seek to declare as void the action of the respondents in seeking 'undertaking' and denying the benefit of continuous service from 1984 to 1994, and to fix the seniority of the applicants accordingly. They further seek that certain other judgments of this Tribunal should be given effect to.

2. Along with the Original Application, a miscellaneous application (MA-1056/2003) has been filed seeking condonation of delay asserting that the applicants had made their representations. The cause of action had arisen in 1984, but the seniority list was circulated only on 3.5.2001. They have come to know that the decision has been obtained by certain persons by misrepresentation in OA-1191/2001. In that view of the



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matter, it is claimed that delay as such should be condoned.

3. The settled principle of law is that once the period of limitation prescribed under any Act or statute comes to an end, the person concerned must explain each day's delay while seeking condonation of the same.

4. What is the position in the present case?

5. The applicants admit that the cause of action had arisen in the year 1984 and as per their own case, finally on 3.5.2001 when the impugned seniority list was issued. Looking at the matter from either angle, the period of limitation had expired before the present application had been filed in May, 2003. Once the period of limitation started running, it would not come to an end unless the provisions of the Act prescribe.

6. In the facts of the present case, as for present, therefore, there is no ground indicated in the application to prompt us to condone the delay. *The grounds given are in-adequate.*

7. Resultantly, MA-1056/2003 must fail and is dismissed and as a consequence, OA must also fail and is accordingly dismissed being time barred.

(Govindan S. Tampi)
Member (A)

/sunil/

(V.S. Aggarwal)
Chairman