

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11929 of 2014

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Wakil Singh, son of Late Yogendra Singh, resident of Village- Jian (Khurd), P.O.-
Aima Bishunpur, P.S.- Karza, District- Muzaffarpur

.... Petitioner

Versus

1. The Union of India through the General Manager (Personnel) East Central Railway Hazipur, Distt- Vaishali
2. The Assistant Engineer, North East Railway, Muzaffarpur
3. The Works Inspector North-East Railway, Muzaffarpur
4. The Divisional Railway Manager (Personnel) North-East Railway, Sonapur
5. The Divisional Accounts Manager, East Central Railway, Sonapur
6. The Chief Works Inspector North-East Railway, Muzaffarpur
7. The Chief Personnel Officer, North-East Railway, Hazipur

.... Respondents

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Appearance :

For the Petitioner : Mr. Jitendra Kumar Giri, Advocate.

For the Respondents : Mr. Bijoy Kumar Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 01-04-2016

Heard learned counsel for the petitioner and the respondents.

2. The challenge in the present writ application is to an order passed by the learned Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as “the Tribunal”) on 31st of March, 2014 in O.A. No. 050/00219/2014, whereby claim of the petitioner for payment of over time wages from 20th of January, 1977 to 15th of October, 1988 with penal interest and compensation was found to be grossly delayed and barred by limitation.

3. The learned Tribunal has rightly found that successive representation will not confer fresh cause of action. Reference in this connection was made to a Supreme Court judgment reported as S.S. Rathore Vs. State of Madhya Pradesh A.I.R. 1990 Supreme Court 10.

4. The claim of wages is for the period up to 1988, whereas the petitioner has invoked the jurisdiction of the Tribunal in the year 2014 i.e. more than 25 years later. We find no error in the order passed by the learned Tribunal as the claim is too old and stale; and thus barred by limitation.

5. The writ application is, thus, dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

P.K.P./Sujit
N.A.F.R.

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