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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 6704/2017 & C.M. No. 27911/2017**

R C ARORA

..... Petitioner

Through: Mr. Ashish Chawla, Advocate

versus

UNION OF INDIA AND ORS

..... Respondents

Through: Nemo

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

04.08.2017

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C.M. APPL. 27911/2017 (Exemption)

1. Exemption allowed, subject to all just exceptions.

Application stands disposed of.

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2. The petitioner assails order dated 30.03.2017 whereby the petitioner's O.A. No.1060/2017 to seek the revised pay-scale w.e.f. 01.01.1984 has been dismissed on account of delay, laches and limitation.

3. It would appear that the said benefit was sought w.e.f. 01.11.1984 on the basis of a decision of the Allahabad Division of the Central Administrative Tribunal dated 24.04.2006 in O.A. No.1191/2002. The writ petition of the respondent assailing the said decision was dismissed on 27.09.2013. The petitioner preferred his

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writ petition even after expiry of four years from the date of dismissal of the writ petition. Consequently, the Original Application ('OA') has been dismissed by the Central Administrative Tribunal ('Tribunal') *in limine* on the ground of delay, laches and limitation.

4. The submission of learned counsel for the petitioner is that the petitioner repeatedly made representations on 31.12.2014 and thereafter on 10.02.2015, which were rejected on 22.03.2016. The submission is that the O.A. was preferred within one year of the rejection of the representations.

5. It is well settled that repeatedly making representations does not give fresh cause of action to the applicant. The decision of the Tribunal in favour of the petitioner was available in the year 2006. He could have moved the O.A. at least soon after the said decision however, he chose to wait. Even after the writ petition filed by the respondents was dismissed on 27.09.2013, he merely made two representations and did not approach the Tribunal for four years.

6. In these circumstances, we do not find any error in the impugned order. The writ petition is dismissed.



VIPIN SANGHI, J



REKHA PALLI, J

AUGUST 04, 2017

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