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HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (S) No. 5826 of 2017**

{Arising out of Order dated 25.08.2017 passed in OA No. 203/00572/2017 by the Central Administrative Tribunal, Jabalpur Bench, Circuit Sitting, Bilaspur}

Krishna Chandra Yadav S/o Late Shri Hans Raj Yadav, aged about 56 years, Present Posted as Additional Principal Chief Conservator of Forest & Director, SIRD, Chhattisgarh, Nimora, Raipur, 492016.

---- Petitioner**Versus**

1. Union of India, Through Secretary, Ministry of Environment, Forests and Climate Change, India Paryavaran Bhavan, Jorbag Road, New Delhi.
2. State of Chhattisgarh, Through Principal Secretary, Department of Forest Mantralaya, Mahanadi Bhawan, Naya Raipur.
3. Principal Chief Conservator of Forests, Chhattisgarh Aranya Bhawan, Medical College Road, Raipur.

---- Respondents

For Petitioner	: Shri Arvind Dubey, Advocate.
For Respondent/Union	: Shri B. Gopa Kumar, Assistant Solicitor General.
For Respondent/State	: Shri UNS Deo, Government Advocate.

Hon'ble Shri Ajay Kumar Tripathi, Chief Justice
Hon'ble Shri Pritinker Diwaker, Judge

Order on Board**Per Ajay Kumar Tripathi, Chief Justice****12/07/2018**

1. Heard the learned counsel for the Petitioner and the learned counsel for the Respondents.
2. The writ application has been filed against the order dated 25.08.2017 passed by the Central Administrative Tribunal, Jabalpur Bench, Circuit Sitting, Bilaspur (for short, 'the Tribunal') in Original Application No. 203/00572/2017. The said OA has been dismissed by the Tribunal primarily on the ground that the

nature of relief which has been prayed for relates to the year 2002 and since the cause of action arose a decade ago, the relief cannot be granted as they stand time barred. The Petitioner had prayed for the following reliefs:

"(i) Direct the respondent authorities to revise the date of promotion of the applicant to the rank of Conservator of Forest from 20.05.2002, the date on which his junior late Mr. T.Gunashekhra was promoted with all consequential pecuniary benefits.

(ii) Direct the respondent authorities to revise the date of promotion to the rank of Chief Conservator of Forests from 15th January, 2007 to 31st October, 2005 the date when Shri K.M.Johri, CCF retired and there was a clear cut vacancy in the cadre with all the consequential pecuniary benefits.

(iii) Any other order/orders, which this Hon'ble Court deems fit and proper may also be passed.

(iv) Award cost of the litigation in favour of the applicant."

3. Looking to the nature of the relief and keeping in mind that such relief was sought by filing an Original Application only in the year 2017, the Tribunal has not taken any erroneous view of the matter.

4. The writ application is dismissed for yet another reason that the settled position cannot be allowed to be unsettled at the convenience of a litigant after so many years.

5. The writ application is dismissed.

Sd/-
(Ajay Kumar Tripathi)
CHIEF JUSTICE

Sd/-
(Pritinker Diwaker)
JUDGE