



**CENTRAL ADMINISTRATIVE TRIBUNAL**

**CHANDIGARH BENCH**

**O.A. No. 060/00018/2020**

Chandigarh, this the 30<sup>th</sup> January, 2020

**HON'BLE MR. SANJEEV KAUSHIK, MEMBER (J)**  
**HON'BLE MS. NAINI JAYASEELAN, MEMBER (A)**

Sodhi Singh, retired SDO-I (Group 'B') S/o Sh. Faquir Singh, aged 65 years, resident of Patti Bhau, Village P.O. Kalra via Adampur Doaba, District Jalandhar, Punjab – 144001.

**....Applicant**

(BY: MR. A.S. PARMAR, ADVOCATE)

**Versus**

1. Union of India through the Secretary to Government of India, Ministry of Defence, New Delhi – 110010.
2. The Director General, Defence (Adm Sec) Ministry of Defence, Raksha Sampada Bhawan, Ulaanbatara Marg, Delhi Cantt – 110010.
3. The Principal Director, Ministry of Defence (DE) Western Command, Kendriya Sadan, South Block, 1<sup>st</sup> Floor, Sector 9-A, Chandigarh – 160019.

**... .Respondents**

**O R D E R(Oral)**

**SANJEEV KAUSHIK, MEMBER (J):**

1. Applicant lays challenge to order dated 8.11.2011 (Annexure A-7/I) whereby the respondents have rejected his request for posting/transferto DEO Jalandhar has been rejected.



2. Along with the O.A., the applicant has filed an M.A. (No. 060/00055/2020) under Section 5 of the Limitation Act 1963 read with Section 21 of Administrative Tribunals Act, 1985, seeking condonation of delay of 1651 days in filing the O.A.

3. Heard learned counsel for the applicant and also the applicant who was present in the Court.

4. Learned counsel argued that the order dated 18.08.2011 was never communicated to the applicant and he got this order only after he filed an application under the RTI Act, that too after he filed a complaint to the CIC. Therefore, he has approached this Court after long delay. He, therefore, prayed that the delay may be condoned.

5. A perusal of the impugned order makes it very clear that the request of the applicant for transfer was turned down way back in the year 2011 and the applicant retired, in normal course, w.e.f. 31.03.2013. He did not challenge that order at appropriate time when he was in service. The cause of action arose in favour of applicant when his request for transfer was rejected or when he retired from service. His plea, at this stage, after such an inordinate delay, cannot be accepted, in view of well settled proposition of law laid down in the case of **C. Jacob Vs. Director Geology and Mining**, 2009 (10) SCC 115 and



**Union of India etc Vs. A. Durairaj**, 2011 (3) SC 254. No reason much less convincing has been given by the applicant for condonation of delay.

6. In view of the above, the MA is dismissed. Accordingly, the O.A. is dismissed. No costs.

**(Ms. Naini Jayaseelan)**  
**Member (A)**

**(Sanjeev Kaushik)**  
**Member (J)**

Place: Chandigarh  
Dated: 30.01.2020

'mw'