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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA 167/2000, MA 1302/2000 in OA 1962/98

New Delhi, this 2nd day of June, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member(J)  
Hon'ble Smt. Shanta Shastry, Member(A)

Dr. Ruma Prasad  
w/o Dr. R.N. Sahai  
2, Old Doctors' Flat  
Hindu Rao Hospital, Delhi ... Applicant

(By Shri Abhay N. Das, Advocate)

versus

1. Secretary  
Govt. of NCT of Delhi  
5, Sham Nath Marg, Delhi-54
2. Director of Health Services  
E Block, Saraswati Bhavan  
Connaught Place, New Delhi
3. Union Public Service Commission  
Shahjahan Road, New Delhi ... Respondents

ORDER(in circulation)

By Smt. Shanta Shastry

This RA is against the order dated 2.2.2000 in OA 1962/98 dismissing the same. This RA has been filed on 11.5.2000 i.e. after the permissible period of 30 days from the date of receipt of a copy of the order.

2. The applicant has filed MA 1302/2000 to condone the delay of 40 days in filing the RA on the ground that she has received the copy of the judgement dated 2.2.2000 on 8.2.2000 and since the lawyers were on strike from 24.2.2000, the applicant believed that no matters would be taken during the period of strike and, therefore, no application could be filed. We are not satisfied with this reason. Nothing prevented the applicant from filing the RA between 8.2.2000 and 23.2.2000 when the lawyers were not on strike. The RA is certainly barred by limitation. MA therefore cannot be allowed.

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3. Even on merits the RA cannot be considered. The only new point in the RA is that the applicant had made joint representation to the respondents and had served legal notice through her advocate; though she had given her papers to the counsel in March, 1998 itself, the counsel filed the OA ~~in~~ only in September, 1998. We do find that the joint representation was made regarding problems of MOS (on contract) & improvement in their service condition etc. It was made on 26.8.97. However, applicant's name does not figure amongst the signatories to the representation.

4. Further a short representation giving reference to the earlier representation of 26.8.97 was made to the Director of Health Services. Here again in the printed list of names, applicant's name does not figure. It seems to have been added later on. This representation is dated 16.12.97. Applicant's services were terminated on 30.1.98 i.e. after more than one month of the second representation. After termination of her services, applicant had not made any specific representation to the respondents, as already pointed out in our judgement dated 2.2.2000. This being so, we hold that there is no error apparent on the face of the record.

5. The RA fails and is accordingly dismissed.



(Smt. Shanta Shastry)  
Member(A)



(Smt. Lakshmi Swaminathan)  
Member(J)

/gtv/