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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

O.A. NO. 564/1998

New Delhi this the 16th day of March, 1998

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Shri D. P. S. Sisodia,
287, RPS Colony,
New Delhi-110062.

... Applicant

(By Shri N. C. Chaturvedi, Advocate)

-Versus-

1. Government of NCT of Delhi
through Chief Secretary,
Delhi Administration,
Delhi.
2. Director of Education,
Directorate of Education,
Delhi Administration,
Delhi.

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal :-

Heard the learned counsel for applicant on admission.

2. The applicant had retired from service in 1989. Now in the year 1998 the applicant wants to derive the benefit of a decision of Delhi High Court in Civil Writ Petition No. 3744/90 decided on 7.7.1991. We are of the view that the application is hopelessly barred by time and deserves to be dismissed.

[Signature]

3. The learned counsel cited R. D. Gupta & Ors. vs. Union of India & Ors., 1990 (1) ATJ 212, to submit that in a case where advantage of certain decision is sought to be taken, the question of limitation may not come in the way. We do not agree with the contention. The case is quite distinguishable. The judgment of the Delhi High Court was delivered in 1991 and the application before the Tribunal has been filed in 1998. If the contention of the applicant is accepted, even after twenty years the applicant, overlooking the bar of limitation, can agitate the matter. In short, the contention deserves to be rejected and is hereby rejected.

4. In the result, this application is hereby summarily dismissed on the ground of limitation.

KM
(K. M. Agarwal)
Chairman

RKA
(R. K. Ahooja)
Member (A)

/as