

Central Administrative Tribunal
Principal Bench
.....

OA No. 1917/95

(A)

New Delhi, this the ~~14~~ day of Dec., 1995

Hon'ble Shri B.K.Singh, Member (A)

Hans Raj son of Late Shri Pyare Lal
r/o House No. 78, (Vashasth Dal Bhandar),
Bata Chowk, Palam Village,
New Delhi.

...Applicant
(By Shri A.K.Bhardwaj, Advocate)

Versus

Union of India

1. The Secretary,
Ministry of Defence Production,
Scuth Block,
Central Sectt.,
New Delhi.
2. The Director General,
Ordnance Factories, No.10 Auckland Road,
Calcutta, W.B.
3. The General Manager,
Ordnance Factory,
Muradnagar,
Uttar Pradesh.

...Respondents

(By None)

O R D E R

by Hon'ble Shri B.K.Singh, Member (A)

No order has been impugned in this application. The applicant claims compassionate appointment. Shri Pyare Lal was working as Darwan and he died on 23.2.1991 at the age of 45 years.

This application has been filed on 10.10.1995 when the cause of action arose to the applicant on 23.2.1991. As per provisions of Section 21 of C.A.T. Act, 1985, if an appeal/

(S)

(5)

representation is filed, the applicant should have approached the Tribunal within six months therefrom otherwise within one year from the date the cause of action arose. As such the applicant should have filed the O.A. sometime in 1992. There is not even a petition for condonation of delay as such this application after the expiry of the statutory prescribed u/s 21 of C.A.T. Act, 1985 period, cannot be entertained as has been held by the Hon'ble Supreme Court in case of S.J. Rathore Vs. State of Madhya Pradesh (AIR 1990 SC 10); UOI Vs. Ratan Chandra Samanta (JT 1993(3) SC P.418) and in a judgement given by a Larger Bench of Hon'ble Supreme Court in case of Secretary to Govt. of India Vs. Sivaram Mahadu Gaikwad (1995 ATC P.635).

In view of the facts and circumstances mentioned above, the application is dismissed in limini at the notice stage itself.


(B.K.SINGH)
MEMBER(A)

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