

(Signature)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

O.A.No.211 of 1995

New Delhi: February 23, 1995.

HON'BLE MR. S.R.ADIGE, MEMBER (A),
HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J).

Sukha Singh,
s/o Shri Gurbachan Singh,
r/o Railway Quarter No.256-A,
Railway Head Quarters,
Chelmsford Road,
Delhi -110006.Applicant.

By Advocate Shri A.P.Mohanty.

Versus

1. Union of India,
through its General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Divisional Medical Officer (DMO)
Northern Railway,
Main Hospital,
Delhi.Respondents.

JUDGMENT

By Hon'ble Mr. S.R. Adige, Member (A).

In this application, bearing O.A.No.211/95 filed by Shri Sukha Singh vide Filing No.02 dated 2.1.95, the applicant has prayed for quashing of the Disciplinary Authority's order dated 4.6.84 removing him from service and also for staying of the notice dated 27.9.93 directing him to vacate quarter No.236-A, Main Hospital, Northern Railway, Chelmsford, New Delhi. A prayer has also been made for modification of that portion of the Tribunal's judgment dated 2.9.93 in T.A.No.413/86 directing

him to give vacant possession of the said premises which was in his occupation before the full amount of DCRG and P.F at the applicant's credit was fully paid to him.

2. Manifestly, this O.A. is grossly time barred having been filed over 10 years after the passing of the impugned order of dismissal.

3. M.A. bearing No.242/95 has also been filed for condonation of delay in filing this O.A. In the M.A., it is contended that the applicant had challenged the Disciplinary Authority's order asking him to vacate the quarter in question, before the Sub-Judge, New Delhi but did not institute any suit for setting aside the dismissal order. The prayer for interim injunction to restrain the respondents from evicting the applicant from the quarter in question was dismissed, and the appeal against the same was also dismissed. The applicant also contends that he filed a Civil Revision Petition before the Delhi High Court which was subsequently transferred to the Principal Bench of the Tribunal vide T.A.No.413/86 and was decided by judgment dated 2.1.93. The applicant states that against that judgment he moved the Hon'ble Supreme Court in a SLP which was dismissed and the review petition filed by the applicant before the Hon'ble Supreme Court was also dismissed vide order dated 21.9.95.

4. The above recital of facts contained in

M.A.No.242/95 constitutes no good grounds for condonation of the ~~gross~~ⁱⁿ delay in filing this O.A., which is ~~grossly~~^{finally} time barred and hit by limitation.

5. Under the circumstances, this O.A. is summarily dismissed.

Lakshmi Swaminathan
(LAKSHMI SWAMINATHAN)

MEMBER (J)

S.R. Adige
(S.R. ADIGE)

MEMBER (A)

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