

Central Administrative Tribunal

Principal Bench, New Delhi

(3)

New Delhi this the 18th day of July 1995. OA 749/95

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr R.K.Ahooja, Member (A)

Surender Singh
R/o S.K.3, Choki No.2
Sindora Kalan
Shakti Nagar
Delhi-52.
(None for the applicant) ...Applicant

Versus

The Secretary
Ministry of Food Processing Industries
Asian Games Village, Khel Gaon Marg
Panchsheel Bhavan
New Delhi-49 ...Respondents.

(None for the respondents)

O R D E R (Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

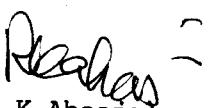
None for the applicant. None for the respondents, Though the respondents were given a last opportunity to file reply, As there is none on either side, we perused the application to see whether there is anything to be deliberated in detail. The grievance of the applicant is that his services which commenced on 10.1.1988 were terminated without any written order on 6.11.1989 though persons engaged for the first time later than the date of the engagement of the applicant were allowed to continue in service. Names of three such persons are given in para 4 (vii) of the application. The termination of the services of the applicant while retaining his juniors, and without serving on him any notice, is not only violative of the provisions of Section 25-F of the Industrial Disputes Act but also against the principle of natural justice, according to the applicant. Therefore he has filed this application praying that the respondents may be directed to reinstate him in service w.e.f. 6.11.1989 and to regularise his services w.e.f. 10.1.88. He has stated that immediately after his services were terminated, he orally made a request for reinstatement which was followed

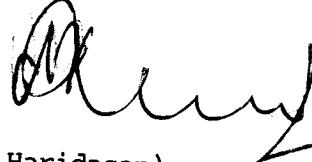
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by a written representation in May 1990 and thereafter in January 1995 and that finding no response, he has filed this application.

2. As the application has been filed far beyond the period of limitation prescribed, the applicant has filed an MA 1020/95 for condonation of delay. We have gone through the MA also. The only ground mentioned in the MA for condonation of delay is that he made a written representation on 12.5.90 after making oral representation in the year 1989 when he was assured that his grievance would be redressed, and that again on 4.1.95 he made a further representation. The grievance of the applicant arose in the year 1989 when his services were terminated if the allegation is true. retaining his juniors. If his representation made in November 1989 did not evoke any response after waiting for 6 months, he should have approached this Tribunal within a year thereafter. There is no satisfactory explanation for the delay. The fact that he made successive representations unsuccessfully is not a ground for condonation of delay. Therefore, we do not find ^{any} good grounds for condoning such a long delay in filing this application. The MA 1020/95 for condonation of delay is dismissed, for want of good and sufficient reasons and therefore we do not consider it appropriate to admit the application and adjudicate the same. Therefore the application is rejected under section 19(3) of the AT Act.


(R.K. Ahooja)
Member (A)


(A.V. Haridasan)
Vice Chairman (J)

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