

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

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O.A./XXX. No. 2289 of 1997
M.A. No. 2262 of 1997

Decided on: 22.9.98

Man Singh & OthersApplicant(s)

(By Shri U. Srivastava Advocate)

Versus

NCT Delhi & AnotherRespondent(s)

(By Shri Rajinder Advocate)
Pandita

CORAM:

THE HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER(J)

THE HON'BLE SHRI K. MUTHUKUMAR, MEMBER (A)

1. Whether to be referred to the Reporter
or not? 45

2. Whether to be circulated to the other
Benches of the Tribunal?


(K. MUTHUKUMAR)
MEMBER (A)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 2289 of 1997
M.A. No. 2262 of 1997

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New Delhi this the 21st day of September, 1998

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)
HON'BLE MR. K. MUTHUKUMAR, MEMBER (A)

1. Man Singh
S/O Shri Samokhan Singh
Sanad No. 1071 (PC)
R/o E-3/387 Sultan Puri,
New Delhi.
 2. Om Prakash
S/o Shri Sukhdev
Sanad No. 5274 (HG)
R/o A-4, Jhuggi No. 72,
Rohini Sector 20,
New Delhi.
 3. Ashok Kumar
S/o Shri Banwari Lal
Sanad No. 624/CA (PC)
R/o Mubarik Pur Dabas
P.O. Rani Khera,
Delhi-110 081.
 4. Leela Singh
D/o Shri Raj Kishor Singh
Sanad No. 8912 (ASL)
R/o D/357 Nand Nagri, Shahdara,
Delhi.
- ... Applicants

By Advocate Shri U. Srivastava.

Versus

1. National Capital Territory of Delhi
Through Director General,
Home Guards and Civil Defence,
Nishkam Seva Bhawan, Raja Garden,
New Delhi.
 2. The Commandant,
Home Guards Organisation of Delhi,
C.T.I. Complex, Raja Garden,
New Delhi.
- ... Respondents

By Advocate Shri Rajinder Pandita.

ORDER

Hon'ble Mr. K. Muthukumar, Member (A)

The applicants in this case are Home Guards under the respondents with varying dates of enrolment. By impugned orders dated 22.2.1994 and 13.9.1994, their

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appointment as Home Guards stood terminated. Being aggrieved by these orders, the applicants are before us with the prayer for a direction in the light of the order passed by the Tribunal in Krishan Kumar and Others - OA 188 of 1995 and certain other OAs 119/97, 120/97 and 959/97 and for a direction to the respondents not to recruit any person in their place or to give preference to them while engaging fresh persons.

2. Respondents have contested the application, inter alia, on the ground that the application is hopelessly barred by time. Without going into the merits of the case, we are of the considered view that the applicants who are aggrieved by the orders of the respondents passed as early as in February, 1994 and September, 1994 have filed this application only in September, 1997. There is also no application for condonation of delay.

3. The learned counsel for the applicant relies on the judgment of the Tribunal dated 29.7.1997 in O.A. No. 1611/1997. We have seen the judgment. In O.A. 1611/1997, the respondents contested that application on the grounds of limitation. The order in the said O.A., does not go into the merits of the question but passed order as follows:-

" Departmental representative submits that the claim of the petitioners is time barred. Since we are not passing any order for payment of arrears or any implementation of

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.3.

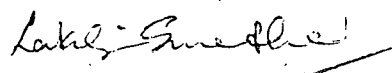
the order with retrospective effect, the respondents shall consider case of the petitioners prospectively while implementing the judgments/decisions cited above."

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4. We hold that the application is not maintainable under Sections 20 and 21 of the Administrative Tribunal's Act, 1985.

5. In the result, the application is dismissed. There shall be no order as to costs.


(K. MUTHUKUMAR)
MEMBER (A)


(MRS. LAKSHMI SWAMINATHAN)
MEMBER (J)

Rakesh