O.A. 392/94

New Delhi, this the 17th August 1994

Hon'ble Shri J.P. Sharma, Member(J)

Hon'ble Shri P.T. Thiruvengadam, Member(A)

Shri M.L. Kumar,
s/o Shri Ladhu Ram,
R/o GH-10/4C, Paschim Vihar,   ... Applicant
Delhi.

(By Shri B.L. Babbar, Advocate)

Vs.

1. The Director,
   Training and Technical Education,
   Office of the Directorate of Training &
   Technical Education,
   Govt. of National Capital Territory
   of Delhi,
   Rouse Avenue,
   New Delhi.

2. Govt. of National Capital Territory
   of Delhi,
   Old Secretariat, Delhi
   (through its Chief Secretary),

3. The Secretary (Services)
   Govt. of National Capital
   Territory of Delhi,
   5, Sham Nath Marg, Delhi.   .... Respondents

O R D E R (ORAL)

Hon'ble Shri J.P. Sharma, Member(J)

        The present application was filed on 15.2.94
making averment in Para 3 of the application that the
application is within the limitation. For default of
the parties the application was dismissed by the order
dated 25.2.94. M.A. was moved to restore the application
which was allowed and the time as prayed for by Shri B.S.
Charya till 26.7.94. Again on 26.7.94 the learned counsel
prayed for time which was till today. Shri B.L. Babbar

..2.

appears for the applicant and he prayed further time be
granted to move an application for condonation of delay
cause in filing this application in 1994 for a cause
of action which has been arisen sometime in 1991. An
application for condonation of delay can accompany the
application when there is a clear averment in the title
of the application that the application is barred by time.
Our Para 3 says that the application is in time. In view
of this such a prayer cannot be granted. However, the
learned counsel wants to withdraw the application with
liberty to file a fresh application as advised according
to law for condoning the delay. Without expressing any
opinion we allow the applicant to withdraw this application
with liberty to file a fresh one so advised according to
law of limitation.

(P.T. THIRUVENGADAM)
M(A)

(J.P. SHARMA)
M(J)

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