

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

O.A.No.1449/94

New Delhi, this the 19th day of July, 1994.

Hon'ble Mr Justice S.K.Dhaon, Acting Chairman  
Hon'ble Mr B.N.Dhondiyal, Member(A).

Afaq Ahmed,  
Resident of C-96, Mukand Vihar,  
Karawal Nagar, Delhi. .... Applicant.  
( through Mr O.P.Khokha, Advocate).

vs.

Union of India, through:

1. Secretary,  
Ministry of Communication,  
Department of Telecommunications,  
Sanchar Bhavan,  
New Delhi.
2. Director,  
Department of Telecommunications,  
Satellite Communication Project,  
50, Community Centre,  
Naraina, New Delhi. .... Respondents.

ORDER

JUSTICE S.K.DHAON, CHAIRMAN (Retd)

The principal relief claimed in this O.A. is that the order dated 18.7.1990, transferring the applicant to Shillong, may be quashed. In the O.A., it is averred that three persons, similarly situate as the applicant, who were also transferred to Shillong came to this Tribunal by means of O.A.No.2035/90, which was disposed of by this Tribunal on 5.10.1990. This Tribunal quashed the order of transfer of those persons. The applicant remained ill from 25.7.1990 to 31.1.1991, as a result of which he could not join the aforesaid three persons in the O.A. On 9.4.1993, he made a representation praying that he too should be given the benefit of the judgment in O.A.No.2035/90,

Shy

but in vain.

2. We have considered the matter with great anxiety and we feel that this is a highly belated application. The law is now well-settled that a litigant cannot take any advantage of the fact that some other litigant, similarly situate as him, obtained a relief from <sup>an</sup> appropriate forum.

3. This application is rejected as barred by time.

*B.N. Dhoundiyal*  
( B.N.Dhoundiyal )  
Member(A)

*S.K. Dhaon*  
( S.K.Dhaon )  
Acting Chairman.

/sds/