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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

O.A. No.316/89

Tenth day of February, 1994.

SHRI J.P.SHARMA, MEMBER(J).

SHRI B.K.SINGH, MEMBER(A).

Shri Tej Pal Singh,
No.4906/DAP
son of Shri Hari Singh Jat,
Village & PO Kashimpur Kheri,
District Meerut (U.P.

...Applicant

By advocate : None.

VERSUS

1. Delhi Administration
through its Chief Secretary,
Old Secretariat, Rajpura Road,
Delhi.

2. Commissioner of Police,
Police Headquarters,
I.P. Estate,
New Delhi.

...Respondents

By advocate : Ms. Ashoka Jain.

ORDER (ORAL)

SHRI J.P.SHARMA:

The applicant was appointed as Constable in Delhi Police and joined on 15-9-92 to be governed by Delhi Police (Appointment and Recruitment) Rules, 1980 and CCS(TS) Rules, 1965. He was placed on probation. The respondents discharged him from service by the impugned order dated 13-9-82 giving him one month's pay in lieu of notice. The applicant has assailed that order in the application filed on 10-2-88. The order dated 17-2-89 shows that the question of limitation was left open as the applicant has not come

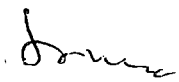
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within the statutory period provided under section 21 of the Administrative Tribunals Act, 1985. There is no application for condonation of delay also. In the column of limitation, it is said that the application is within limitation but it is incorrect and is not substantiated by any document on record.

2. Section 21 of the Administrative Tribunals Act, 1985 lays down a period of one year, if any representation is made for a grievance arising from non-action of the respondents or against an order waiting for six months the result of that representation. Thus, the maximum period provided is one year and six months. The present application, therefore, is barred by time.

3. The matter has been on Board and none appears for the applicant. Ms. Ashoka Jain appeared for the respondents. In view of the above facts and circumstances, we find that the present application is hopelessly barred by delay and laches and hit by limitation as provided under Section 21 of the Administrative Tribunals Act, 1985 and is dismissed, leaving the parties to bear their own costs.


(B.K.SINGH)
MEMBER(A)


(J.P.SHARMA)
MEMBER(J)