

Central Administrative Tribunal
Principal Bench
Delhi

OA No. 4/1989.

3.1.1989

Smt. Amarjit Kaur vs. Union of India & Ors

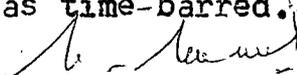
Applicant through counsel Shri G.N. Oberoi.

Having heard Shri G.N. Oberoi, ld. counsel for the Applicant and perused the Application, we are of the view that the Application is hopelessly barred by time and the same merits to be rejected on this ground alone.

The Applicant is aggrieved by the order of termination dated 1.2.1985. There is nothing on the record to show that he challenged the said order before the authority concerned. All that has been said is that she made several applications/representations after the order of termination but of which no particulars have been given. The only paper showing giving of a notice is Annexure A-1, dated 4.8.1988, given by Shri Pratap Singh Asija, Advocate, stating that the applicant's services were terminated illegally but on appeal she had been reinstated by the officers of the Director of Medical Services, Army Headquarters, New Delhi. No copy of the appeal nor the copy of the reinstatement order has been filed. Further, the allegation was that MMO, Abohar was acting in a revengeful manner and had pocketed the reinstatement order. In the reply by the Colonel, 16th Infantry c/o 56 A.P. dated 23rd August, 1988 it is indicated that her services were terminated on Feb. 1, 1988 and that no reinstatement order has been received by the office of 16th Infantry nor by 175 M.H. from DGMS Army. This notice dated 4.8.1988 cannot take the place of a representation as contemplated in law. Even if it is treated to be so, the mere making of a representation long

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after the order of termination cannot give a fresh period of limitation to file this Application. As mentioned above, there is nothing on the record to show that any appeal was filed by her against the order of termination. No particulars of having made a representation to the concerned authority had been made, within a reasonable period of time. The present Application is barred by time and we find no good reason to entertain this Application. We, therefore, reject this Application as time-barred.


(Kaushal Kumar)
Member


(Amitav Banerji)
Chairman