

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH

16

OA No. 2661/91

New Delhi, this the 17th day of July, 1996

Hon'ble Shri S.R. Adige, Member (A)  
Hon'ble Dr. A. Vedavalli, Member (J)

Shri Raghbir Singh s/o  
Shri Bharat Singh,  
R/o village & P.O. Khizarpur Ahir,  
Tehsil Gannour, Distt. Sonapat,  
Haryana.  
By None

...Applicant

-Versus-

1. Delhi Police through  
Commissioner,  
Police Headquarters, ITO,  
New Delhi.
2. Delhi Armed Police (DAP)  
through Deputy Commissioner,  
III Battalion, Kingsway Camp,  
New Delhi.

..Respondents

By Shri Vijay Pandita, Advocate

ORDER (Oral)

By Hon'ble Shri S.R. Adige, Member (A) -

In this application Shri Raghbir Singh has prayed for setting aside the orders dated 9.6.88 (Annexure P-2) and dated 8.8.88 (Annexure P-3), rejecting his representation against termination of his services by an order dated 16.5.1974. The OA itself was filed on 9.10.1991.

2. When this application came up for hearing on 2.5.1996, applicant's counsel Shri B.K. Paul prayed for an adjournment and in his presence the case was listed for today i.e. 17.7.1996.

3. None appeared for the applicant when the case was called out although we waited till 2.30p.m. today. Shri Vijay Pandita, counsel for the respondents was present and was heard.

...2p/-

A

(17)

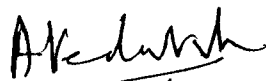
4. Shri Vijay Pandita, counsel for the respondents has raised the preliminary objection, that the OA is severely barred by delay, laches and limitation, under Section 21 of AT Act.

5. As stated above, the termination order (not filed) is dated 16.5.1974. The applicant represented against the termination order after nearly 14 years i.e. on 9.3.1988 which was rejected and further three years after rejection of his representation, he has filed this O.A.

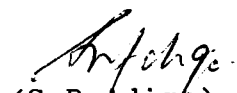
6. The applicant has filed a Misc. application under Section 21(3) of A.T. Act for condonation of delay on the ground that he could not proceed against the orders dated 9.6.88 and 8.8.88 because of his illness and only on his recovery from illness in March, 1991, he was able to move in the matter. No materials, by way of medical certificate etc., have been filed in support of the applicant's claim having been so ill as to be unable to file his representations or approach the legal forum for redressal of his grievance in time.

7. Under the circumstances, the preliminary objection raised by the respondents, that this OA is severely barred by delay, laches and limitation, is upheld and the OA is dismissed.

No costs.



(Dr. A. Vedavalli)  
Member (J)

  
(S. R. Adige)  
Member (A)

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