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18.3.1991

Item No.2

OA 605/91

Present: Shri U.S. Bisht, learned counsel for the applicant.

MP No.748/91

Having regard to the cause of action and the nature of the relief claimed the applicants would seem to have common interest in the application. Applicants are hereby permitted to join together and file common application. MP No.748/91 is disposed of.

MP No.747/91

Yours
This is a joint application seeking the following reliefs:

- (i) declare verbal termination of their services on different dates in January, 1987 as illegal and reinstate them with consequential benefits.
- (ii) direct the respondents to appoint them as per their selection by the Board of Officers against sanctions available.

The cause of action for relief (i) claimed by the applicant arose as far back as January, 1987 and for relief (ii) arose in January, 1988 when the applicants were stated to have been trade-tested. Hence the application is prima facie barred by limitation. Applicants have filed a petition seeking condonation of delay. There is hardly any cause much less sufficient cause, justifying condonation of delay. Even going by the liberal yardstick laid down by the Supreme Court in Collector Land Acquisition, Anantnag and another Vs. Mst Katiji & Others - AIR 1987 SC 1353, we find it difficult to persuade ourselves that the applicant has made out sufficient cause justifying condonation of delay. Accordingly this application is hereby rejected at the admission stage as being barred by limitation.

I.K. Rasgotra
(I.K. Rasgotra)
Member(A)

B.S. Sekhon
(B.S. Sekhon)
Vice Chairman C
18-3-91