

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

OA No.673/92

Date of decision:18.11.92

Sh.S.L.Chaudhry

...

Applicant

versus

Union of India through
Ministry of Railway &
ors.

..

Respondents

CORAM: THE HON'BLE SH.P.C.JAIN, MEMBER(A)
THE HON'BLE SH.J.P.SHARMA, MEMBER(J)

For the Applicant: None


ORDER(ORAL)


(PASSED BY HON'BLE SH.P.C.JAIN, MEMBER(A)

This OA was filed on 23.10.89 .The registry had pointed out that the application was not on the prescribed form and it would also not be within the limitation prescribed. The applicant was advised about the same but he did not take any action in this regard. In this OA, he has assailed the punishment of removal from service imposed on him vide order dated 2.4.86(Annexure A). In the disciplinary proceedings initiated against him, the allegations were tempering with and falsification of official records without any justification and levelling malicious charge against another railway employee. The punishment was imposed after holding oral inquiry in which the charges were held to be established. His appeal dated 18.6.86 against

the aforesaid order passed by the disciplinary authority was rejected vide order 21.10.87. It is thus clear that the cause of action accrued to the applicant on or about 21.10.87 and he could have filed this OA within one year from the date of receipt of a copy of the appellate order. However, the OA was filed as already stated above, on 23.10.89. There is no petition for condonation of delay and no cause is shown in the OA itself for not initiating proceedings before the Tribunal within the limitation prescribed under Section 21 of the Administrative Tribunals Act, 1985. Before taking up this case, a notice was directed to be sent to the applicant, returnable for today. The notice was sent on 20.10.92 but none is present for the applicant nor the notice has been received back unserved.

2. In the light of the foregoing, the OA is dismissed as not ^{being} maintainable as the same is barred by limitation.


(J.P. SHARMA)
MEMBER(J)


(P.C. JAIN)
MEMBER(A)