

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

DA NO. 871/93 MP 1125/93 .. Date of decision: 27.04.93

Sh. Yogender Singh & Ors. .. Applicants

Versus

Union of India .. Respondents

CORAM

Hon'ble Sh. I.K. Rasgotra, Member (A)

Hon'ble Sh. J.P. Sharma, Member (J)

For the applicant .. Sh. H.L. Bajaj, Proxy Counsel
for Sh. Dinesh Kumar, Counsel.

1. Reporters of local papers may be allowed to
see the judgement ?

2. To be referred to the Reporters or not ?

JUDGEMENT (Oral)

(Delivered by Hon'ble Sh. I.K. Rasgotra, Member (A)

Shri H.L. Bajaj, Proxy counsel for the learned
counsel for the petitioners submitted that the counsel
for the petitioner Mr. Dinesh Kumar has left for Supreme
Court and therefore, the case be adjourned to 28.04.93.

We have, however, gone through the petition to
determine its admissibility. The petitioners were dismissed
from service vide order dated 25.09.82 after conducting an
enquiry in accordance with law. The said dismissal orders
were confirmed by the Appellate Authority vide separate
orders dated 2.3.83. The petitioners filed Civil Writ
Petition No. 543/84 in the High Court of Delhi but the same
was dismissed on 16.8.84. A Review Petition was filed
thereafter in the Delhi High Court (No. RA 76/84) which too
was dismissed on 18.1.85. Thereafter, the applicants
approached the Supreme Court vide SLP Nos. 11008-9 of 1986.
The SLP was dismissed by the Supreme Court vide order
dated 14.7.92.

(2)

This OA has been filed on the ground that Hon'ble Supreme Court while dismissing the SLP, had observed that the applicants should have approached the Central Administrative Tribunal for a decision on merits instead of filing SLP in the Supreme Court. We do not find any observation to this effect in the order of the Hon'ble Supreme Court. The petitioners are seeking relief in this OA by way of quashing the order of Appellate Authority dated 12.5.83 confirming the dismissal order dated 25.9.82 with all consequential benefits. The issues raised are thus, barred by limitation as provided in Section 21 of the Administrative Tribunals Act, 1985.

The OA is accordingly dismissed at the admission stage, as barred by limitation in terms of Section 21 of the Administrative Tribunals Act, 1985.

J. P. Sharma
(J.P. Sharma)
Member (J)

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