

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH  
ALLAHABAD.

Allahabad this the 16th day of May 2001.

Original Application no. 207 of 2001.

Hon'ble Mr. Justice RRK Trivedi, Vice-Chairman  
Hon'ble Maj Gen KK Srivastava, Member-A.

Maldhani Ram,  
Boilor making Khalasi-helper Loco Shed,  
BSB, Varanasi, NE Rly.,

... Applicant

C/A Shri ON Shukla

Versus

1. Union of India through General Manager (M),  
NE Rly. Gorakhpur.
2. Divisional Railway Manager (Mechanical)  
Varanasi, NE Rly.
3. Assistant Mechanical Engineer I, NE Rly.,  
Varanasi.

... Respondents

C/Rs Shri KP Singh

ORDER (Oral).

Hon'ble Mr. Justice RRK Trivedi, Member-A.

This OA under section 19 of the AT Act, 1985  
has been filed to reinstate the applicant with full


...2/-

back wages with all other benefits as if he was in continuous service.

2. The facts in short are that the applicant was subjected to disciplinary proceedings for the charge that he submitted a forged and fake certificate of education for showing him educated and for the purpose of date of birth. The inquiry officer found that the charges against the applicant have been proved. The applicant also admitted his mistake during pendency of the proceedings. The disciplinary authority by order dated 7.8.1992 <sup>awarded a</sup> ~~forwarded~~ punishment <sup>of u</sup> ~~from~~ removal from service. In appeal, however, the appellate authority took a lenient view, considering his 20 years service and thus reduced the punishment of removal from service and directed to reinstate him at the initial pay of the grade. The order of the appellate authority is dated 21.10.1992 (annexure 7). Against the order of the appellate authority, the applicant filed a review appeal/revision before the D.R.M., which was dismissed on 1.3.1994, on the ground that already much lenient view has been taken and no change is required. The applicant has not challenged all these orders in his relief. This OA has been filed on 2.3.2001 i.e. after 7 years. There is no explanation of this long and inordinate delay.

3. The OA is dismissed as time barred. No order as to costs.

  
Member-A

  
Vice-Chairman