

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH  
ALLAHABAD.

Dated: Allahabad, the 3rd day of May, 2001.

Coram: Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. Rafiq Uddin, J.M.

ORIGINAL APPLICATION NO. 504 OF 2001

Brij Nandan Sharma,  
s/o Sri Piarey Lal Sharma,  
r/o House No. 203, Burhanpura  
Meera Ki Path, Old city,  
Bareilly (U.P.).

..... Applicant

(By Advocate: Sri R.C. Pathak )

Versus

1. Union of India through the Secretary of Agriculture, Government of India, Krishi Bhawan, New Delhi-11.
2. The Director General, Indian Council of Agriculture Research (ICAR), Government of India, Krishi Bhawan, New Delhi-11.
3. The Director, Indian Veterinary Research Institute (IVRI), Izatnagar, Bareilly (U.P.).
4. The Assistant Administrative Officer, Indian Veterinary Research Institute (IVRI), Izatnagar, Bareilly (U.P.).

..... Respondents

(By Advocate: Sri N.P. Singh )

ORDER

(ORAL)

(By Hon'ble Mr. S. Dayal, AM)

This application has been filed with the prayer for setting aside the impugned order dated 5.12.2000, which is Annexure A-1 to the Application and directions for re-instatement of the applicant with all consequential benefits.

2. The learned counsel for the applicant has contended before us that by order dated 12-10-2000 in OA No. 1071 of 2000 directions were given to the Respondents to consider and decide representation of the applicant, which were Annexure Nos. A-10 and A-11 to the application, which have been decided within 3 months from the date of receipt of a copy of the order.

3. The learned counsel for the applicant has placed those representations, which are placed at Page Nos. 28 and 29 of the application. By the representation dated 21.12.91, the applicant had represented that he should be given full details of the amount (Rs. 3435/-) sought to be recovered from him. The learned counsel for the applicant states that by the impugned order dated 5.12.2000 placed at Annexure A-1 to the O.A., the Respondents have complied with the directions of the Tribunal to consider the representation of the applicant.

4. The learned counsel for the applicant has placed Annexure No. A-11 on page -29 of the present OA, in which he has sought documents regarding the amount of Rs. 3435/- to be recovered from him or allow him to be taken back in service.

5. The learned counsel for the applicant contends that this part has not been complied with in spite of directions of this Tribunal and hence, this Original Application. We find from the order dated 12-10-2000 in OA No.1071 of 2000 that the following observations were made in paragraph no.2 of the said order:-

" We have considered the submissions of Shri R.C. Pathak. It is not disputed that the applicant was terminated from service on 18.10.1988 and his application for being taken back in service was also rejected on 3.7.1990. This application has been filed on 20.9.2000, i.e. after more than 10 years. After such a long delay, in our opinion there is no question of entertaining the dispute so far as termination from service is concerned."

Thus, the applicant cannot now raise the dispute regarding termination of service and re-instatement ~~in~~ <sup>in</sup> the present O.A. Hence, the Application stands rejected at the admission stage itself.

There shall be no order as to costs.

*Rafiq Uddin* *Dayal*  
 (RAFIQ UDDIN) (S. DAYAL)  
 JUDICIAL MEMBER MEMBER (A)

Nath/