

RESERVED  
ON 02.04.2014

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
BENCH ALLAHABAD**

(ALLAHABAD THIS 11<sup>th</sup> DAY OF April 2014)

PRESENT:

**HON'BLE MS. JASMINE AHMED, MEMBER -J**

**HON'BLE MR. U.K. BANSAL, MEMBER - A**

**MISC. APPLICATION No.4096 of 2013**

**Along with**

**MISC. APPLICATION No. 4097 of 2013**

**In**

**ORIGINAL APPLICATION NO. 1225 OF 2004**

**(U/s, 19 Administrative Tribunal Act.1985)**

Bal Govind Rai son of Yadunath Rai resident of Village and  
Post Sisupur, District Ghazipur.

.....Applicant

By Advocate: Shri K.K. Mishra

Versus

1. Union of India, through the Secretary Ministry of  
Communication, New Delhi.
2. The Post Master General, U.P Zone, Lucknow.
3. The Director of Postal Service, Allahabad.
4. The Superintendent of Post Offices, Allahabad.
5. Ram Janam Yadav, Branch Post Master, Sishuwapar,  
District Ghazipur.

..... Respondents

By Advocate : Shri R.K. Srivastava/Shri M.K. Upadhyaya

**ORDER**

**BY HON'BLE MR. U.K. BANSAL, MEMBER - A**

M.A Nos. 4096/13 and 4097/13 have been filed on  
behalf of the applicant, Shri Bal Govind Rai, on 01.10.2013  
for restoration and delay condonation connected with O.A.  
No. 1225 of 2004. A perusal of the file indicates that O.A.  
No. 1225 of 2004 was dismissed in default for non-

prosecution by this Tribunal on 25.11.2009. Thereafter a restoration application was filed and the O.A. was restored to its original number by an order dated 6.5.2010.

2. The O.A. was again dismissed in default on 09.08.2011. Another restoration application No. 2663 of 2011 was filed by the learned counsel for the applicant on 17.10.2011 and this M.A. was also dismissed in default by an order dated 02.01.2012. The present M.A. No. 4096 of 2013 and delay condonation application has been filed by the learned counsel for the applicant on 17.10.2013 i.e. after a gap of over one and half years for restoration of M.A. NO. 2663 of 2011.

3. Objections to this Misc. Applications have been filed by the learned counsel for the official respondents on 08.11.2013 where it has been vigorously argued that this restoration application is pertaining to the O.A. which was dismissed in default for the second time on 09.08.2011 and hence is inordinately delayed as over one and half years have elapsed after the earlier restoration application was also dismissed.

4. In the grounds for delay it has been stated on behalf of the applicant that the various orders of this Court were inadvertently overlooked by the learned counsel for the





applicant and only on 15.09.2013 they became aware of the order of the Court dated 02.01.2012. On this ground, the applicant seeks the restoration of the earlier restoration application.

5. On examination of the pleadings and having regard to the arguments presented by the counsels, it is clear that the present restoration application is highly time barred and reasons given for condoning the delay are vague, unsubstantiated and without force. Hence, M.A. Nos. No. 4096/13 and 4097/13 are rejected.



Member (A)



Member (J)

Manish/-