

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.

Dated : This the 24TH day of MAY 2007

Original Application No. 175 of 2004

Hon'ble Mr. Justice Khem Karan, Vice-Chairman
Hon'ble Mr. K.S. Menon, Member (A)

Prabhu Nath Singh, S/o late Maryad Singh, R/o Mohalla
Rajdepur Post Office Rauza, Distt: Ghazipur.

. . . .Applicant

By Adv: Sri A. Kumar and Sri A.P. Kushwaha

V E R S U S

1. Union of India through Secretary, Ministry of
Communication (Department of Posts), New Delhi.
2. Chief Post Master General/APMG (Staff), UP Circle
Lucknow.
3. Superintendent of Post Offices Ghazipur Division,
Ghazipur.

. . . .Respondents

By Adv: Sri S. Singh

O R D E R

By Justice Khem Karan, Vice-Chairman

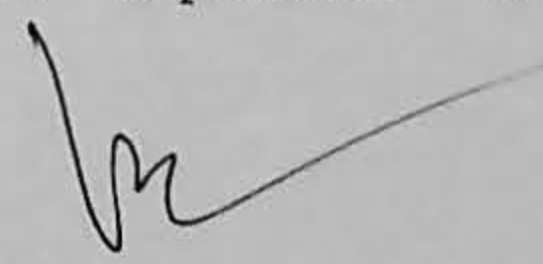
Heard Sri A. Kumar for the applicant and Sri R.C.
Shukla brief holder of Sri S. Singh for the
respondents \ on the application for condonation of
delay in filing this OA.

2. The applicant is challenging two orders ^{one} dated
19.02.1998 (Annexure A-6) and ~~another~~ ^{order} dated
15.09.2000 (Annexure A-7). It transpires from the
perusal of order dated 19.02.1998 that his claim for
seniority on the ground of passing of the examination



was rejected by Supdt. Of Post Office. It appears that ^{he} made another representation to Chief Post Master General, which he rejected vide order dated 15.09.2000 (Annexure A-7). This OA was filed on 19.02.2004, after about six years of order dated 19.02.2004 and after more than 3 years of order dated 15.09.2000. He retired on 31.12.2002. In application for condonation of delay it is averred that he ^{gave} ~~made~~ ^{representation} ~~reminder~~ to respondent No. 1 on 10.09.2001, followed by reminders dated 13.07.2002, 14.06.2003 and 19.12.2003, but the same was not decided before his retirement and was decided as late as on 15.09.2000. Application is silent as to what prevented the applicant from coming to this Tribunal within time or representing to respondent No. 1 before 10.09.2001. In other words he slept over the matter right from 1998 to 10.09.2001 and it was on 10.09.2001 that he represented to the CPMG. He ^{kept quite} ~~compelled~~ ^{some} ~~inactivity~~ after order dated 15.09.2000, PMG rejected his claim in September 2000 and this OA was filed in February 2004.

3. What the learned counsel for the applicant has contended that the respondents have not filed any objection against the application for condonation of delay so it should be allowed. We are not impressed by such arguments. Application for condonation of delay itself is silent as to why the applicant kept the matter right from 1998 to September 2001 and similarly he kept mum from September 2000 to



19.02.2004. One who is coming for condonation of delay should disclose all the grounds that may constitute ^{Sufficient} ~~several~~ grounds for condoning the delay.

It is not necessary that the respondents should file the objection. ~~It is not necessary that the~~

~~respondents should file the objection.~~

4. In our opinion there ^{are} ~~is~~ no sufficient grounds for condoning delay in filing OA under Section 21 of the A.T. Act, 1985 or under Section 5 of Limitation Act. So the application for condonation of delay is rejected and the OA is dismissed as time barred. No cost.

[Signature]
24.5.07

Member (A)

[Signature]
24.5.07

Vice-Chairman

/pc/