

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the 12th day of January, 2005.

Original Application No. 1380 of 2004 (U).

Hon'ble Mr. V.K. Majotra, Vice-Chairman.

Hon'ble Mr. A.K. Bhatnagar, Member- J.

Hamid, No. 307, Rank-Barbar,
S/o Sarjuddeen, R/o 22, Civil Lines,
Roorkee, Hardwar.

.....Applicant

Counsel for the applicant :- Sri P.K. Tyagi
Smt. Archana Tyagi

V E R S U S

1. Union of India through its Secretary,
M/o Defence, New Delhi.
2. Adjutant General,
Sena Bhawan, New Delhi.
3. Brigadier Commandant, Sena Shiksha Corps,
Prashikshan College aur Kendra,
ACC Training College and Centre, Panchmadi,
M.P. 461881.

.....Respondents

Counsel for the respondents :- Sri Saumitra Singh

O R D E R

By Hon'ble Mr. V.K. Majotra, VC.

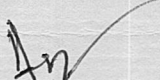
Earlier the applicant had approached this Tribunal through the O.A No. 1264/1998 which was disposed of vide order dated 18.08.2004 allowing the applicant to withdraw the O.A with liberty to challenge the punishment order of dismissal. Hence the applicant has now challenged the removal order dated 06.12.1985. The applicant has also sought direction to the respondents to release the pension and other retiral benefits.

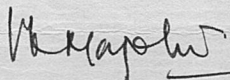
2. The applicant is now moving an application for

condonation of delay which has been stoutly opposed by the learned counsel for the respondents. We have gone through the application for condonation of delay. In our view, the applicant has not been able to explain satisfactorily the delay in challenging the order dated 06.12.1985 by which the applicant was removed from service.

3. Learned counsel for the applicant has drawn our attention to the fact that the applicant had made a representation dated 01.04.1997 (Annexure 3 to the delay condonation application) followed by the reminder dated 20.08.1997 which is annexed with delay condonation application as annexure- 6. As per the applicant's averment, the representation filed by him is still undecided. Accordingly the respondents are directed to consider the applicant's representation dated 01.04.1997 and pass appropriate orders relating to his prayer for grant of pension and other retiral benefits. They may do so expeditiously within a period of four months from the date of receipt of a copy of this order.

4. O.A stands disposed of with no order as to costs.


Member- J.


Vice-Chairman.

/Anand/

12.1.08