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Court No. 1.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

R Registration (O.A.) No. 707 of 1987

Raghunandan Prasad Applicant.

Versus

Union of India & others Respondents.

Hon'ble Ajay Johri, A.M.
Hon'ble G.S. Sharma, J.M.

No one is present on behalf of the applicant. The learned counsel for the respondents has sent his illness. We have examined this case on the points of limitation. The reliefs claimed are for quashing the order of compulsory retirement dated 5.10.1985 passed by the General Manager, Ordnance Clothing Factory, Shahjahanpur and setting aside of the enquiry proceedings conducted ex parte and for the reinstatement of the applicant. The application has been filed taking the plea that the applicant preferred an appeal against the order of compulsory retirement dated 5.10.1985 on 11.6.86 and the appeal has not been disposed of by the appellate authorities and they are not deciding the representation of the applicant. If the applicant was compulsorily retired on 5.10.1985 the appeal preferred by him on 11.6.1986 was definitely barred by limitation. Prefering an appeal beyond statutory period does not help the applicant from saving himself from limitation before this Tribunal. The statutory period for filing an appeal is fortyfive days and the same

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was filed much beyond time. The application being time barred is dismissed in limine. This will, however, not debar the respondents from considering the appeal of the applicant against his compulsory retirement if they choose to do so after condoning the delay under their own powers.

Sharma
MEMBER (J).

Sharma
MEMBER (A).

Dated: August 12, 1988.

RKM/PG.