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Central Administrative Tribunal, Allahabad.

Registration O.A.No.1104 of 1987

Bhola Nath Chaurasia ... Applicants
and others
Vs.

Union of India and others ... Respondents.

Hon.D.S.Misra,AM
Hon.G.S.Sharma,JM

(By Hon.G.S.Sharma,JM)

This petition under Section 19 of the Administrative Tribunals Act for quashing the result of 809 candidates declared by the Railway Service Commission Allahabad on 20.2.1984 and for the preparation and publication of the result of 1465 candidates on the basis of the written examination held on 22.2.1981 and the viva-voce test held on 16.6.1982 to Novr.1982 was filed before this Tribunal on 18.11.1987. It is alleged that prior to filing this petition, the applicant had filed a writ petition in the High Court in 1986 but in accordance with the decision of the Full Bench of the Allahabad High Court in Udai Bhan Singh Vs.Union of India (1987 LIC-512) the said petition stood dismissed. We heard the learned counsel for applicant on the question of limitation at the time of admission and it was urged on theirbehalf that as the applicants have formerly filed a writ petition in the High Court, the delay,if any, made in presenting this application is liable to be condoned.

2. We have carefully considered the contentions raised on behalf of the applicants before us but are unable to accept the contention raised on their behalf for the condonation of delay. The result of 809 candidates which is sought to be quashed in this petition was declared on 20/21.2.84 and the applicants should have filed this petition within 6 months of the establishment of the Tribunal for quashing the said result. Even if it be assumed

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that the applicants were prosecuting their writ petition before the High Court with all bonafides, we find that the said writ petition stood dismissed on 16.1.1987 in accordance with the decision of the Full Bench aforesaid of the Allahabad High Court. The applicants have no explanation for waiting till 18.11.1987 for filing this petition. In our opinion, the petition is grossly time barred and the cause shown for condoning the delay is not sufficient.

3. The petition is accordingly dismissed in limini.

Sharma
23.11.87

MEMBER (A)

S. Sharma
23/11/87

MEMBER (J)

Dated 23rd Novr. 1987

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