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Court No. 2.

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD.

Registration (O.A.) No. 609 of 1988

Raj Kumar Dubey Applicant.

Versus

Union of India & others Respondents.

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

This application received under Section 19 of the Administrative Tribunals Act XIII of 1985, challenges an order dated 6.12.1985 issued by respondent no.4. The copy of the order has not been annexed with the application. It is alleged that by this order the applicant, who was working on the post of Sub-Post Master (SPM) has been reverted and transferred on the post of P.A. Sri R.B. Pandey, learned counsel for the applicant, submits that the applicant has been making repeated representations from the date of receipt of this order and he was not in a position to annex the copies of the representations as well as the copy of the order because they have been lost by him at some stage. However, the fact remains that an order dated 6.12.1985 is being challenged. Section 21(1)(b) of the Administrative Tribunals Act, 1985 says that in a case where an appeal or representation such as is mentioned in clause (b) of sub-section (2) of Section 20 has been made and a period of six months had expired thereafter without such final order having been made, if the application is submitted within one year from the date of expiry of the said period of six months it would be within limitation. The order was given to the applicant on 6.12.1985 and he has filed this application on 13.5.88, which is clearly beyond one year and six months from the date on which the order was given to the applicant.

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2. In view of above, the application being time barred is accordingly dismissed at the admission stage. Sri R.B. Pandey, learned counsel for the applicant, further makes a request that the respondents be directed to dispose of the representations, in case the same have been preferred by the applicant, which are ~~ar the respondents~~ pending with ~~seen~~. We have no objection to this request. The respondents may decide the representations in accordance with law. Sri K.C. Sinha is present on behalf of the respondents. A copy of the order and copies of the application may be given to him.

S. Bhambhani

Member (J).

3/5/88

Member (A).

Dated: May 19, 1988.

PG.