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Order-Sheet

O.A. No. 729 of 1988

(26)

9.7.1991

Hon. Mr. D.K. Agrawal, J.M.
Hon. Mr. A.B. Gorthi, A.M.

None for the applicant. Km. Sadhna Srivastava, Addl. Standing counsel for the respondents. This claim petition was filed on 20.5.1988. After about 10 adjournment on behalf of the applicant, the case was dismissed on 24.4.1989. It was restored on the request of the applicant's counsel on or about 11.12.1989, thereafter, again the applicant took about 6 adjournments. On 11.4.1991 the applicant's counsel again sought an adjournment. The case was then listed on 4.7.1991. Again an adjournment was sought, then it was listed on 5.7.1991. The counsel for the applicant again did not appear. It was, therefore, ordered on 5.7.1991 that no more adjournment will be possible. The case was directed to be listed on 9.7.1991. Today we have again been deprived of the benefit of hearing ~~of~~ ^{known} the ~~counsel~~ for the applicant, therefore, we have heard Km. Sadhna Srivastava, Addl. Standing counsel for the respondents.

As (the merits of the case, we find that the applicant's services were terminated on 2.4.1982 i.e. prior to 1.11.1982. The cause of action, if any arose on 2.4.1982. It is settled position of law that cases for which cause of action arose prior to 1.11.1982 are not ^{newly} ~~termed~~ ^{available in} by the Tribunal. We have no jurisdiction even to condone the delay in such cases. The case of V.K. Mehra can be usefully referred to in this connection. We, therefore, hold that the application is barred by time.

We, hereby, reject the application as barred by time.

J
A.M.

D.K. Agrawal
9.7.91
J.M.