

(10)

(A2)
(7)

Order-Sheet

O.A. No. 729 of 1988

9.7.1991

(26)

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

None for the applica-nt. 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~~ the ^{known} counsel for the applicant,
therefore, we have heard Km. Sadhna Srivastava,
Addl. Standing counsel for the respondents.

^{to}
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 ^{maintainable in} ~~tenable 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, there-
fore, hold that the application is barred by time.

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

A.M.

D.K. Agrawal
J.M. 9.7.91