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Court No.1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A. No. 731 of 1988

Dr. Vishwa Mohan Applicant

Versus

Chairman Railway Board Respondent

Hon. Ajay Johri, A.M.

Hon. G.S. Sharma, J.M.

(By Hon. G.S. Sharma, J.M.)

This is an application under Section 19 of the Administrative Tribunals Act XIII of 1985 for a direction that the departmental appeal made by the applicant on 30.1.81 against the penalty imposed on him in the disciplinary proceedings be disposed of within the time allowed by this Tribunal. It is alleged that the applicant had made several representations to the respondent and the last one was made on 27.1.88 for deciding the appeal but the same has not been decided so far. Taking the benefit of the alleged last representation having been made within the period of one year, the contention advanced on behalf of the applicant is that we should take compassionate view and treat the case within time. We are of the view that the applicant unduly delayed in approaching the Court of law. After 30.1.81 when the appeal ~~which has been~~ filed by him was not decided within a reasonable time, he should have approached the competent Court of law

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within the prescribed time. He could not approach the Tribunal after the expiry of more than seven years. The petition is therefore clearly barred by time and therefore the same is dismissed at the admission stage.

Subarao

J.M.

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A.M.

Dated the 11th Aug., 1988.

RKM