

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

M.P. 1899/94 W.O.A 1318/92 &c. w/c

O.A. No. 1318 of 1994

Sri Vijai Singh ... ... ... Applicant.

Versus

The Union of India  
and others ... Respondents.

...

Hon. Mr. S. Das Gupta, Member(A)  
Hon. Mr. J.S. Dhaliwal, Member(J)

(By Hon. Mr. S. Das Gupta, Member(A) )

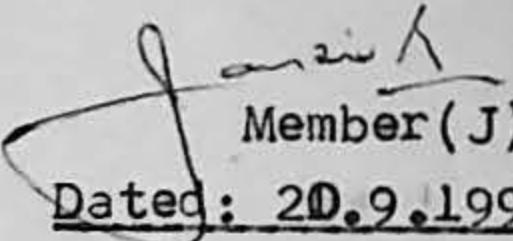
M.P. No.1899 of 1994 was moved by Sri M.A.Siddiqui@, learned counsel for the applicant with a prayer for restoration of the O.A. which was dismissed by this Tribunal's order dated 7.7.1994. In view of the submissions made in the restoration application, the same is allowed and the petition is restored to its Original Number.

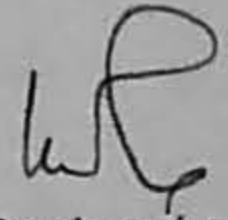
2. Heard the learned counsel for the applicant on admission. It appears that the applicant was charge-sheeted for the alleged theft of the Government Property and after holding an enquiry, he was removed from service vide order dated 31.3.1981. The applicant filed O.A. No. 908 of 1988 challenging the order of removal. This O.A. was dismissed by the judgment and order dated 11.1.1989 by a Bench of this Tribunal on the ground that the O.A. was not maintainable in view of the fact the matter arose in the year 1981 <sup>nearby</sup> i.e. ~~nearby~~ 4 years before the Tribunal came into existence and as such, the matters could not be entertained by this Tribunal since it was more

than 3 years before 1.11.1985 i.e. the date of establishment of the Tribunal.

3. In the present application, the relief prayed for is for quashing the order dated 20.1.1992 passed by the respondent no.2 by which his application dated 20.12.1991 has been rejected. In this petition dated 20.12.1991, the applicant has prayed for furnishing of the copy of enquiry report and also ~~reinstated~~ for <sup>reinstated</sup> him in service. Since the matter relates to his removal from service in 1981, the present O.A. also is not maintainable on the same ground on which his earlier O.A. was dismissed.

4. In view of this, the present petition is also held to be not maintainable and the same is dismissed in limine.

  
Member (J)  
Dated: 20.9.1994  
(n.u.)

  
Member (A)