

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

ML 1899/94 w/OA 1318/92 & *SL*
O.A. No. 1318 of 1992

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.Siddi-
qui, 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.

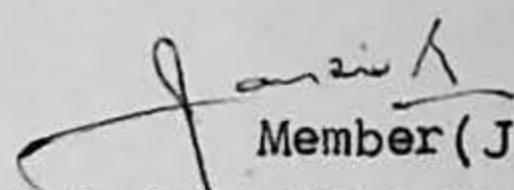
2. Heard the learned counsel for the applicant
on admission. It appears that the applicant was
charge-sheeted for the alleged theft of the Government
Property and after holding an enquiry, he was removed
from service vide order dated 31.3.1981. The applicant
filed O.A. No. 908 of 1988 challenging the 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
i.e. ^{nearly} ~~nearly~~ 4 years before the Tribunal came into
existence and as such, the matters could not be
entertained by this Tribunal since it was more

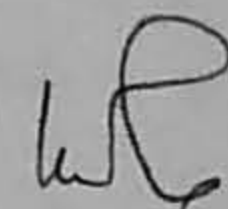
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than 3 years before 1.11.1985 i.e. the date of establishment of the Tribunal.

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 for ^{reinstatement} ~~reinstated~~ 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)