

23-02-2001

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MA No. 837/01 in  
OA No. 667/93

Hon'ble Mr. Justice R.R.K. Trivedi, VC  
Hon'ble Mr. S. Dayal, A.M.

List has been revised. None has appeared for applicant. Sri M.K. Shama, holding brief for Sri A.K. Gaur for Respondents is present. MA 6567/2000 is for restoration of the O.A., which was dismissed, in default, on 7.11.2000. This application was, however, dismissed, in default, by order dated 16.1.2001 for restoration of OA. Sri M.K. Shama has filed objection. We have heard Sri M.K. Shama and perused the objection and the reasons for restoration. In our opinion, the cause shown is sufficient and the OA is restored to its original number.

We have heard Sri M.K. Shama on merits also. He has submitted that the OA is ~~partly~~ <sup>patently</sup> time-barred, as the order dated 27th April, 1997 has been challenged by filing OA on 23rd April 1993. There is no explanation for this delay. In Para-3, the applicant has simply declared that the application is within limitation prescribed in Section 21 of the Act. But, in our opinion, the application has been filed after 6 years of passing of the impugned order and is highly time-barred. The O.A. is accordingly dismissed as time-barred. No order as to costs.

A.M.

V.C.

Nath/