

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 26TH DAY OF MAY, 2003

Original Application No. 1033 of 1995

CORAM:

HON.MR.JUSTICE R.R.K.TRIVEDI,V.C.

HON.MR.S.K.AGARWAL, MEMBER(A)

1. Chhotey Lal<sup>h</sup>, S/o Bhim Sen  
R/o village Daya Ram Ka Nagla  
Post Berani, district ~~Etah~~ Etah.
2. Pooran Singh, S/o Pyare Lal  
R/o village Simrau, Post Simrau,  
district Etah.
3. Veer Pal S/o Babu Ram  
R/o village Nagla Vakti,  
Post Narora, district Etah.

(By Adv: Shri S.Dwivedi)

... Applicants

Vs

1. Union of India through  
General Manager, Northern  
Railway, Baroda House, New Delhi.
2. Divisional Railway Manager,  
Northern Railway, D.R.M.Office  
Allahabad.
3. Permanent Way Inspector(Ballast)  
Northern Railway,Fatehpur-Sikri  
at Tundla.

... Respondents

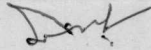
O R D E R (Oral)

JUSTICE R.R.K.TRIVEDI,v.c.

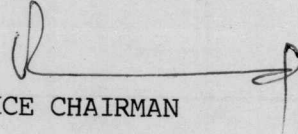
By this application u/s 19 of A.T.Act 1985 it is stated that applicants were declared failed in B-1 medical category in 1987. This OA has been filed on 28.9.1995 i.e. after 8 years. For explaining this delay applicant filed application supported by an affidavit. In paras 3 and 4 whereof it is stated that earlier OA No.1170/93 was filed in Principal Bench of this Tribunal, which was transferred to this Tribunal and was registered as OA No.1310/94 and this OA was withdrawn on 17.2.1995 with liberty to file fresh case. Copy of the order dated 17.2.1995 has been filed as (Annexure 4). The perusal of the order shows that no liberty was granted to the applicant to file

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fresh case. In the circumstances, this OA is not legally maintainable and the delay of 8 years has not been explained. In the circumstances, this OA is dismissed as time barred and also as not maintainable. No order as to costs.



MEMBER(A)



VICE CHAIRMAN

Dated: 26th May, 2003

Uv/