

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH : ALLAHABAD

ORIGINAL APPLICATION No. 220/2002

TUESDAY, THIS THE 14TH DAY OF MAY, 2002

HON'BLE MR. JUSTICE R.R.K. TRIVEDI .. VICE CHAIRMAN  
HON'BLE MR. C.S. CHADHA .. MEMBER (A)

Indra Deo Yadav,  
S/o Ram Bahal Yadav,  
R/o Village - Jangal Agani  
Chhota Tola Bharwal, P.O. Peppeganj,  
District - Gorakhpur. .... Applicant

(By Advocate Shri B.N. Singh)

Versus

1. Bharat Sanchar Nigam Limited (B.S.N.L.)  
through its Chairman cum Managing Director,  
Head Quarter, New Delhi.

2. General Manager Telephone,  
Bharat Sanchar Nigam Ltd.,  
Ghaziabad.

3. Divisional Engineer Telephone  
Bharat Sanchar Nigam Ltd., Noida.

4. Sub-Division Office Telephone,  
Tilpatta, Surajpur, Dist. Ghaziabad.

5. Union of India, through  
its Secretary,  
Ministry of Communication (Telecom),  
New Delhi. .... Respondents

(By Advocate Shri R.C. Joshi)

ORDER - (ORAL)

Hon'ble Mr. Justice R.R.K. Trivedi, Vice Chairman :

By this O.A. under Section 19 of the A.T. Act,  
1985, the applicant has challenged the order dated 30.9.1997  
by which he has been terminated from service on the conclusion  
of disciplinary proceedings. This O.A. has been filed on

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18.2.2002, i.e., after more than 4 years. An application has been filed seeking condonation of delay wherein it has been stated that the applicant had fallen ill and was mentally disturbed. In support of this averment, a medical certificate has been filed issued by a private Nursing Home which states that the applicant was under treatment for about three months from 25.12.1997. Even if the ~~prayer~~ is <sup>paper</sup> taken ~~to be considered~~ <sup>into consideration</sup>, the explanation is only for a period of 3 months which expired in March, 1998. Thus, we do not find any explanation for this long and inordinate delay in filing this O.A.

2. It may also be noted here that the applicant had a right of appeal under the statutory rules. But, he has not availed of that remedy. In the circumstances, this O.A. is dismissed as time barred.

3. However, this order shall not come in the way of the applicant if he is advised to file the appeal before the competent authority. No order as to costs.

*Chowdhury*  
MEMBER (A)

psp.

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VICE CHAIRMAN