

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the **26th** day of **March, 2010**

Present:

HON'BLE MR. A.K. GAUR, MEMBER-J
HON'BLE MR. D.C. LAKHA, MEMBER- A

ORIGINAL APPLICATION NO. 763 OF 2006

Bhoochali Son of Late Makuni, Khalasi/Helper T.No. 1096, Bridge
Work Shop, North Eastern Railway, Gorakhpur Cantt., Gorakhpur.

.....Applicant.

V E R S U S

1. Union of India through General Manager, North Eastern Railway, Gorakhpur.
2. Executive Engineer Bridge Workshop, North Eastern Railway, Gorakhpur.
3. Assistant Executive Engineer Bridge Workshop, North Eastern Railway, Gorakhpur Cantt. Gorakhpur.
4. Senior Section Engineer Bridge Workshop (Production), North Eastern Railway, Gorakhpur Cantt., Gorakhpur.
5. Chief Works Manager/Bridge North Eastern Railway, Gorakhpur.
6. Chief Bridge Engineer North Eastern Railway, Gorakhpur-273012.

.....Respondents

Present for the Applicant: Sri U.P. Srivastava

Present for the Respondents: Sri D.P. Singh

ORDER

(DELIVERED BY HON'BLE MR. A.K. Gaur, J.M.)

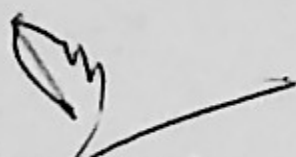
Heard Shri U.P. Srivastava, learned counsel for the applicant
and Shri D.P. Singh, learned counsel for the respondents.

2. Learned counsel for the respondents raised a preliminary objection that the original application is inordinately time barred

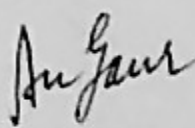
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and for which no reasonable or plausible explanation has been given by the applicant. The applicant has already given several representations dated 26.7.2002 (Annexure-A-8), 1.7.2004 (Annexure-A-9), 12.5.2005 (Annexure-A-10) and 28.11.2005 (Annexure-A-11). Learned counsel for the respondents submitted that series of representations will not give the benefit of period of limitation. Learned counsel for the respondents stated that selection has already been cancelled. We find no justification for considering the case on merits at such a belated stage.

3. Having heard the parties counsel, we are firmly of the view that the explanation for delay given by the learned counsel for the applicant is not at all convincing. The OA is misconceived and liable to be dismissed on the ground of delay and laches. No costs.



Member-A



Member-J

RKM/