

3

MA 623/95
(A)

3

Serial
No. of
OrderDate of
Order

Order with Signature

6 29.11.95

Heard Shri P.C. Mishra, learned counsel for the applicant. Annexure-4 to the petition brings ^{into} focus of dispute that the applicant mentioned his date of birth as 19.9.1937 while working as E.D.D.A. Samoutraipur B.O., but at the time of appointment as Postman at Tihidi, he submitted a School Certificate from Panchmush High School, Jaleswarpur wherein it is mentioned that his date of birth is 8.12.1944. On the ground that two certificates of dates of birth were submitted, one being ^{at} variance with the other, the SDI(P) Bhadrak East Sub Division, Bhadrak by his letter dated 16.4.1985 required the applicant to state which ~~was~~ his correct date of birth. This petition is filed on 17.10.1995, roughly 10 years after this letter. The learned counsel for the applicant states that the representation had been filed, but copy of the representation is not annexed to the petition. This fact is also not made as part of the pleadings in the petition. This petition cannot be admitted. The matter arose 10 years back. The applicant should have approached the authorities for redressal of his grievances, when there is an order against him or prejudicing his claim, ~~or~~ he could have come to this Court. After 10 years there is no ^{case} cause for ~~reviv~~ing the cause of action. The delay cannot be condoned. The application is inlimini dismissed.

[Signature]
MEMBER (ADMINISTRATIVE)

A copy of the order No. 6 dt 29.11.95 may be given to the counsels for both sides.

[Signature]
6/12

[Signature]
06.12.95
S.O.

Received copy of order dt. 29/11/95 on behalf of Mr. P.C. Mishra
8/12/95

Amrinder
#41
6/12/95