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**CENTRAL ADMINISTRATIVE TRIBUNAL
JODHPUR BENCH**

**ORIGINAL APPLICATION NO. 152/2007
JODHPUR : THIS THE 20TH DAY OF OCT. 2008.**

CORAM :

**HON'BLE MR. N.D. RAGHAVAN, VICE CHAIRMAN
HON'BLE MR. TARSEM LAL, ADMINISTRATIVE MEMBER**

K.C. Midha S/o Shri Lekhraj Midha, aged about 47 years, Resident of I-G 18, Jawahar Nagar, District Sri Ganganagar, presently working as Sub Divisional Engineer, Sri Ganganagar (under suspension) with Headquarters Sri Ganganagar, Department Telecom (BSNL).

.....Applicant.

Mr. S.B.Singh along with Mr. H.R. Chawala, Advocates, present for the applicant.

Versus

- 1- Union of India through Secretary to the Government of India, Department of Telecommunication, Ministry of Telecommunication and Information Technology, Sanchar Bhawan, 20, Ashoka Road New Delhi.
- 2- The Chief General Manager (BSNL), Rajasthan Telecommunication Circle, Sardar Patel Marg, C - Scheme, Jaipur, 302 008, Rajasthan.
- 3- General Manager, Telecom (BSNL), District Sri Ganganagar.

.....Respondents.

Mr. Mahendra Godara, Advocate, for Mr. Vineet Mathur, ASGI, present for the respondents.

**ORDER (Oral)
[PER N.D.RAGHAVAN, VICE CHAIRMAN]**

The learned counsel for all the respondents, in the course of arguments pointed-out that this O.A. is time barred, highlighting page No. 16 i.e. Annex. A/1 which is the order impugned dated 23rd April, 2004 while the present O.A. has been filed in July 2007 impugning such order. Hence, when three clear more years have passed beyond



the period of limitation of one year, this O.A. has to be rejected as time barred, *the respondents contended. idr.*

2. On the other hand, learned Counsel for the applicant put all his efforts to make the OA survive but no answer *- in this regard idr.* could come from him except asking for adjournment.

3. After hearing both the parties and going through the record, we find that the submissions of the learned counsel for the respondents has substantial weightage. Even though the learned counsel for applicant pointed-out that this O.A. was already admitted, when we checked-up in this regard we find that the O.A. was admitted only subject to valid exceptions and hence the point of limitation squarely falls under this exception. It is thus clear that this OA was not *- Remaining this as qualified admission only. idr.* absolutely admitted. Hence, we have no other alternative than to pronounce this O.A. as time barred as submitted by the learned counsel for the respondents, *more especially when no petition for stay - condonation of delay has also not been filed by the applicant.*

4. In the result, this O.A. is dismissed in limine as time barred.

Tarsem Lal
(Tarsem Lal)
M(A)

N.D. Raghavan
(N.D. Raghavan)
VC

03/11/08

Paul

Coto
24/11/08

Part II and III destroyed
in my presence on 18/11/08
under the supervision of
section officer 111 93 111
under date 19/8/2014

19/8/2014