**Before the Central Administrative Tribunal, Lucknow Bench, Lucknow**

ORIGINAL APPLICATION NO: 10 OF 2005
This the 17th DAY OF of MAY, 2005

**HON'BLE SHRI SHANKAR RAJU, MEMBER (J)**
**HON'BLE SHRI S.P. ARYA, MEMBER (A)**

Ram Nath Verma son of Sri Ram Pher Verma resident of Villagej Netwari Chaturpur, Rampur Bhagan, Pargana Pachim Rath, Tehsil Bikapur, District:Faizabad.

Applicant.

By Advocate: Shri R.S. Gupta.

**Versus**

1. Union of India, Ministry of Communication, through its Secretary, New Delhi.
2. Director General, Postal Services, Sanchar Bhawan, New Delhi.
3. Chief Post Master General, U.P. Circle, Lucknow.
4. Sr. Superintendent of Post Offices, Faizabad Division, Faizabad.

**...Opposite Parties**

By Advocate: Shri Deepak Shukla for Shri Prashant Kumar.

**ORDER (ORAL)**

**BY HON'BLE SHRI S.P. ARYA ,MEMBER(A)**

The applicant by this O.A. seeks for quashing the appellate order dated 30.5.2001 rejecting the appeal and order dated 31.8.99 dismissing the applicant from service and also for making the payment of arrears.

2. We have heard the Learned counsel for the parties and perused the pleadings.

3. The punishment order was passed on 31.8.99 and the appellate order was passed on 30.5.2001. This O.A. has been filed on 4.1.2005. The counsel for respondents has raised the question of limitation as provided in the AT Act, 1985. The only explanation given for delayed filing of the O.A. as shown in the application for condonation of delay is that the O.A. was prepared on 15.5.2002 but as the then counsel was ill and

subsequently died , the O.A. could not be filed. This however, in our opinion does not explain inordinate delay which has occurred in filing the O.A. Relying on the ratio propounded in ***S.S. Rathore Vs. State of Madhya Pradesh reported in AIR 1990 SC 10,*** we are of the considered opinion that the O.A. is hopelessly barred by limitation and the condonation application as well as O.A. is liable to be rejected.

4. In view of the unexplained delay the application for condonation of delay is rejected. O.A. being highly time barred is dismissed. No order as to costs.

**(S.P.ARYA)**

**Member (A)**

**(SHANKAR RAJU)**

**Member (J)**

**HLS**