

3
✓ Date: 23.11.2010 M.A. 40/10 IN O.A. 19/2010

Hon'ble Justice Shri Alok Kumar Singh, Member (J)
Hon'ble Shri S. P. Singh, Member (A)

List revised. Nobody is responding for the applicant. Shri K.K. Shukla, learned counsel for the respondents is present.

M.A. 40/10

Heard the learned counsel for the respondents and perused the matter on record.

This is an applicant for condonation of delay in filing O.A. There is nobody to press it.

Though affidavit has been filed in support of this application, but delay has not been sufficiently explained. On the other hand, a preliminary objection has been filed on affidavit stating therein that departmental appeal dated 27.12.89 contained as Annexure -5 to this O.A. was decided way back in the year 1989 i.e. about more than 20 years before. Therefore, this O.A. is highly time barred. This detailed affidavit has not been controverted by filing any affidavit or rejoinder affidavit by the applicant. Therefore, we do not find any reason to disbelieve. The factum of inordinate delay is also substantiated from the record.

The application for condonation of delay is therefore, rejected.

As the application for condonation of delay has been rejected, the O.A. is also dismissed.


Member (A)


Member (J)

v

OK
copy to anker
dated 23-11-2010
Rupam
26-11-2010