

Central Administrative Tribunal, Lucknow Bench,
Lucknow

M.P. No 1066/2010 in Dy. No.1532/10

This the 18th day of March, 2011.

Dinesh Kumar (SC) and another

Applicants

By Advocate: Sri A.C. Mishra

Versus

Union of India and others

Respondents

By Advocate: Sri S.M.S.Saxena

Hon'ble Mr. Justice Alok Kumar Singh, Member (J)

Sri A.C. Mishra for applicant

Sri S.M.S.Saxena for respondents

M.P. No. 591/2011: This is an application for directing the respondents for filing C.A. In fact, the direction has already been given for filing C.A. This application has become in-fructuous.

A preliminary objection has also been filed, therefore, it would be necessary to dispose it of and then take up the joint application and amendment application.

M.P. No. 1325/2010: This is an application for dismissal of O.A. as time barred.

Heard on the application for dismissal of O.A. as time barred.

In para 4, 5 and 6 of this application, it has been said that though both the applicants have nowhere mentioned in the petition that when their services were terminated or they were disengaged but from their own record, it appears that after 1993/1994, they did not work as casual labour. Thus, there is an inordinate delay of about 16 years. Neither any written reply has been filed against this application nor the learned counsel for applicant could give any satisfactory reply for such inordinate delay. In the entire pleadings, there is no explanation at all regarding the inordinate delay. Any application for condonation of delay has also not been moved. In the circumstances, this application is allowed and the O.A. is dismissed on the ground of it is being barred by limitation. No costs.


Member (J)

HLS/-

08.07.11

Due to Sad Demise of Sri S. D. Dwivedi, Adv.
The Case is Adjourned to 29.07.11.

Copy of Order
Dated 18.3.11
Given
22.3.2011