

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW**

Original Application No. 283/2009

This, the 8th day of March, 2011

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

Vijay Shanker Shukla,
Aged about 63 years,
Son of Late Sru Aditya Parkas Shukla,
Resident of E-66, Sector C-1, LDA
Colony, Kanpur Road Lucknow.

Applicant

By Advocate: None.

Versus

1. Union of India through its Chairman,
Ministry of Railway, Railway Board, New Delhi.
2. The Divisional Rail Manager,
Northern Railway Moradabad,
Division -Moradabad.
3. The Divisional Personal Officer,
Northern Railway, Moradabad,
Division-Moradabad.
4. The Asstt. Personnel Officer,
Northern Raiway, Moradabad,
Division-Moradabad.
5. The Divisional Account Officer,
Northern Railway Moradavad,
Division-Moradabad.

Respondents

By Advocate Shri B.B. Tripathi for Shri N.K. Agarrwal.

Order (Oral)

By Hon'ble Justice Shri Alok Kumar Singh-M(J)

List revised. Nobody is responding for the applicant.

We have heard the learned counsel for the respondents and perused the pleadings of the parties.

2. It comes out from the record that O.A. 338/2007 was filed earlier by the applicant which was decided in his favour on 17.8.2007 directing the respondents to consider the two representations of the applicant and to pass reasoned order as per the extant rules and regulation within a stipulated period. In compliance there of, a detailed order dated 16.11.2007 was passed giving out the entire details of the retrial benefits. Finally, it was found that nothing is left to be paid to the applicant therefore, his representations were disposed of. In Para 5 of counter affidavit, point of limitation has been raised saying that the impugned order was passed on 16.11.2007 whereas; this O.A. has been filed on 9.7.2009 i.e. after inordinate delay of about more than 18 months. The learned counsel for respondents therefore, submits that it is hit by Section 21 of the AT ACT-1985.

3. We have carefully gone through the entire O.A. There is no explanation at all in respect of this inordinate delay. Moreover, the applicant has also not filed any application seeking condonation of delay. Probably, this may be ~~the~~ ^{the} reason for not appearing anybody on behalf of the applicant today. Be that as it may.

4. In view of the above and particularly having regard to the provision of Section 21 of the AT ACT-1985, this O.A. is dismissed being barred by limitation. No order as to cost.



(S. P. Singh)
Member (A)



(Alok Kumar Singh)
Member (J)

v.