

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH, LUCKNOW**

**Original Application No.464/2011
This the 14th day of February 2012**

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

Rais Ahmad son of Shri Sayeed Ahmad, aged adult years, resident of Kalupur Majrany Tanda Nizam Ali Tahsil Fatehpur, District Barabanki.

...Applicant.

By Advocate: Sri M.A. Siddiqui.

Versus.

1. Union of India through General Manager, N.E. Railway, Gorakhpur.
2. The Divisional Railway manager, N.E. Railway, Ashok Marg, Hazratganj, Lucknow.
3. The Chief Medical Superintendent, N.E. Railway, Badshah Nagar Railway Hospital, Lucknow.

.... Respondents.

By Advocate: Sri M.S. Rautela.

ORDER (oral)

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

M.P.No.2817/20122 and M.P.No.2857/2011.

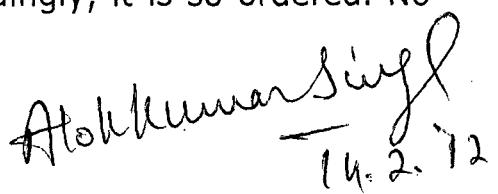
Heard at length. Some observations have already been made on the point of condonation of delay in the order sheet dated 17.11.2011. A written objection has also been filed on behalf of the respondents against condonation of delay application on the ground that there is an inordinate delay of about 13 years, which has not been explained. At the cost of

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repetition, it may be mentioned that the applicant has been appointed as Chowkidar on casual rate in June, 1996 and he was paid emoluments till December, 1996. In the entire O.A., it has not been mentioned as to from what date he was disengaged. First representation, in writing, was admittedly made in January, 2009 followed by another representations dated 24.07.2009 and 11.01.2010. Apparently, from January, 1997 till January, 2009 that is for about 12 years, no representations were made at all. Therefore, subsequent repeated representations cannot bring the matter within the ambit of limitation. The law is settled on this point. The applicant utterly failed to show any plausible explanation for such an inordinate delay of 12 years.

2. In view of the above, this O.A. deserves to be dismissed on the ground of limitation and accordingly, it is so ordered. No order as to costs.


(S.P. Singh)
Member (A)


(Justice Alok Kumar Singh)
Member (J)

Amit/-