

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

O.A.No. 26/95

DATE OF DECISION: 24.2.1995

Mr. Y.G.Ahire ..Applicant

Mr. R.S.Kotiankar ..Counsel for applicant

V/s

Union of India & 2 Ors. ..Respondents

Mr. S.Karkera for

Mr.P.M.Pradahn ..Counsel for respondents

Coram:

The Hon'ble Shri Justice M.S.Deshpande, V.C.

The Hon'ble Shri M.R.Kolhatkar, Member(A)

1. To be referred to the Reporter or not? —
2. Whether it needs to be circulated to other Benches of the Tribunal ? ~O.

Vice Chairman
Vice Chairman

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, 'GUI ESTAN' BUILDING NO.6
PRESCOT ROAD, BOMBAY 1

(3)

O.A.NO. 26 OF 1995

Y.G. AHIRE

..APPLICANT

V/s.

Union of India & 2 Ors.

..Respondents

Coram: Hon. Shri Justice M.S. Deshpande, V.C.

Hon. Shri M.R. Kolhatkar, Member(A)

Appearance:

Mr. R.C. Kotiankar

Counsel for the applicant

Mr. S. Karkera, for Mr. P.M. Pradhan

Counsel for the respondents

ORAI JUDGMENT:

DATED: 24.2.1995

(Per: M.S. Deshpande, Vice Chairman)

We have heard Mr. Kotiankar, Id. counsel for the applicant. It is apparent that the applicant had filed an earlier O.A. challenging the Appellate Order confirming the dismissal passed on 30.4.93. That O.A. was withdrawn by the applicant on 25.4.94 with liberty to file a fresh O.A. The present O.A. has been filed on 28.12.1994. The only reason given by the applicant for delay in filing the present application was that the applicant was under the mistaken belief that the time limit for filing fresh O.A. was one year from the time of withdrawal. There is no reference anywhere in the application that the applicant had sought any legal advise and that he was misled and that has resulted in delay in filing the present O.A. The applicant went on his own mistaken belief without due care. ^{and attention} It cannot be sufficient cause for condoning the delay. The M.P.No.80/95 for condonation of delay is dismissed. The O.A. is dismissed as barred by limitation.

MR. Kolhatkar

(M.R. Kolhatkar)
Member(A)

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(M.S. Deshpande)
Vice Chairman