

9/1/97

TYPED BY _____ CHECKED BY _____
COMPILED BY _____ APPROVED BY _____

THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH: HYDERABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR:
M(J)

DATED: 11/2/97

Order/Judgement

R.P/C.P/M.A.NO.

16/97

in

O.A.NO.

349/93

ADMITTED AND INTERIM DIRECTIONS ISSUED
ALLOWED

DISPOSED OF WITH DIRECTIONS

DISMISSED ✓

DISMISSED AS WITHDRAWN

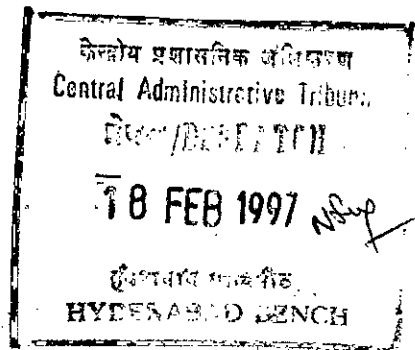
DISMISSED FOR DEFAULT

ORDERED/REJECTED

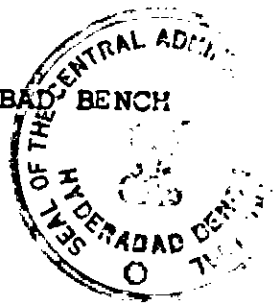
NO ORDER AS TO COSTS. ✓

II COURT

YLKR



IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH
AT HYDERABAD.



O.A.No. 349 of 1993.

(PER HON'BLE SHRI JUSTICE B.C.SAKSENA, VICE CHAIRMAN,
ALLAHABAD BENCH.

Date: August 27, 1996.

Between:

B.Balaiah. Applicant.
and

1. The Director General, Research and Development, Defence Research and Development Organisation, Directorate of Planning & Resource Management, Ministry of Defence, DHQ, PO-NEW DELHI 110 111.
2. The Director, Defence Research & Development Laboratory, Kanchanbagh, Hyderabad.
3. P.Balaiah, Tradesman-C, Defence Research & Development Laboratory, Kanchanbagh, Hyderabad. Respondents.

Counsel for the Applicant: Shri G.Vidyasagar.

Counsel for the Respondents: Shri Raghava Reddy, Additional Standing counsel for the Respondents.

CORAM:

HON'BLE SHRI JUSTICE B.C.Saksena, Vice-Chairman,
Allahabad Bench

HON'BLE SHRI R.RANGARAJAN, MEMBER (A)

O R D E R.

Heard the counsel Shri G.Vidyasagar for the applicant and Shri Raghava Reddy, Additional Standing counsel for the Respondents.

Bor

is questioned would relate back to 27--10--1983. The respondents therefore plead that this O.A., is clearly barred by limitation as prescribed under Sections 20 and 21 of the Administrative Tribunals Act.

4. After going through the pleadings we are satisfied that there is force in the plea taken by the respondents. In view of the relief claimed, it clearly depends on the cause of action which occurred as back as in 1983.

5. The learned counsel for the Respondents has cited various decisions to support the submissions that a petition is liable to be dismissed on the ground of laches which seeks revision of seniority which held the field for a long number of years. The learned counsel for the Respondents relies on the decisions reported in MALCOM LAWRENCE CECIL D'SOUZA Vs. UNION OF INDIA AND OTHERS (1976 S.C.C.(L&S) 115) and K.R.MUGDAL AND OTHERS Vs. R.P.SINGH AND OTHERS (1987 S.C.C.Lab. 6)

6. In view of the above, the O.A., deserves to be dismissed as being barred by limitation and it is accordingly dismissed. Each party to bear its costs.

प्रमाणित प्रति
CERTIFIED TO BE TRUE COPY

Ambar
न्यायालय अधिकारी
COURT OFFICER
केन्द्र प्रशासनिक अधिकरण
Central Administrative Tribunal
हैदराबाद बेंच
HYDERABAD BENCH