

TYPED BY
COMPARED 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:

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DISMISSED AS WITHDRAWN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, FEB. 22, 1950.

OPEN/READ/REVERSE

APR 26 1967 REJECTED

NO ORDER AS TO COSTS.

II COURT

YLKR

केन्द्रीय प्रशासनिक अधिकाराण
Central Administrative Tribunal
सेक्यूरिटी/DEPT/1997
18 FEB 1997 न्यू
दिल्ली बायारी अदालत
HYDERABAD BENCH

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD
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.

B.G.R.

: 3 :

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

Amulya
स्वाधारण अधिकारी
COURT OFFICER
केंद्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
సెంట్రల్ ప్రశాసనిక అధికారణ
HYDERABAD BENCH