

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL JAIPUR BENCH
J A I P U R.

OA NO.305/96

Date of order: 23.5.1996

Guru Dayal

: Applicant

vs.

Union of India and others : Respondents

Mr. Rajesh Moondia, counsel for the applicant

CORAM:

HON'BLE SHRI GOPAL KRISHNA, VICE CHAIRMAN
HON'BLE SHRI O.P.SHARMA, MEMBER (ADMINISTRATIVE)

O R D E R

(PER HON'BLE SHRI GOPAL KRISHNA, VICE CHAIRMAN)

Applicant Guru Dayal in this application under Section 19 of the Administrative Tribunals Act, 1985 (for short ' the Act '), has challenged the order dated 19.2.1992 by which his services as EDBPM were dispensed with and Shri Hari Om Sharma was appointed on temporary basis in his place.

2. We have heard the learned counsel for the applicant and have carefully gone through the records.

3. The applicant has categorically stated in the application that he continued on the post of EDBPM till 18.2.1992 and thereafter the orders of his dis-engagement were issued by the Department. He had filed a Civil Suit also in the Civil Court of Alwar, which had issued an interim direction at Annexure A-3 dated 12.9.1992. It is not clear as to when the

(3)

-: 2 :-

aforesaid Civil Suit was finally disposed of. Since the Civil Suit was filed in regard to a service matter of an employee of the Government of India before a Civil Court any direction, if issued by the aforesaid Civil Court would be without jurisdiction. If the applicant is aggrieved by any order terminating his services w.e.f. 19.2.1992 he should have preferred an application under Section 19 of the Act within the period of limitation prescribed for it. The applicant has not made any representation before approaching this Tribunal as envisaged by Section 20 of the Act. The challenge to the order dated 19.2.1992 by this application presented in this Tribunal on 16.5.1996 after a lapse of more than four years is hopelessly barred by limitation and the grounds for condoning the delay made in the MA are not convincing. The OA is, therefore, dismissed at the stage of admission.

4. MA No.246/96 also stands dismissed accordingly.

O.P.SHARMA
MEMBER (A)

G.K.KRISHNA
(GOPAL KRISHNA)
VICE CHAIRMAN