

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Decision: 16.1.2001

OA 23/2001

With

MA 9/2001

Vijay Sharma, Clerk cum Cashier, Haroti Gramin Bank & resident near Nirmala School, Bhagat Singh Colony, Kota Jn.

... Applicant

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Mumbai.
2. Divisional Rly Manager, Bombay Division, Bombay Central.

... Respondents

CORAM:

HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

HON'BLE MR.A.P.NAGRATH, ADMINISTRATIVE MEMBER

For the Applicant ... Mr.V.P.Mishra

For the Respondents ...

O R D E R

PER HON'BLE MR.S.K.AGARWAL, JUDICIAL MEMBER

In this OA applicant makes a prayer to direct the respondents to sent him for traning and appoint him on the post of Guard on successful completion of training.

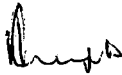
2. Applicant's case, in brief, is that in pursuance of advertisement No.5/89 the applicant applied for the post of Guard scale Rs.1200-2040 and after selection the applicant was informed to join training at Udaipur, vide letter dated 3.2.92. But the applicant could not join the training commencing from 14.4.92 due to illness. It is stated that after recovery from the illnes the applicant requested the respondents to sent him for training in the next batch, but with no result. Subsequently, the applicant met with the APO and also submitted representations, but with no result. Therefore, the applicant has moved this OA for the relief, as above.

3. An application for condonation of delay has also been filed, which is on record.

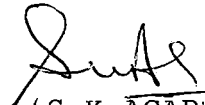
4. Heard the learned counsel for the applicant.

5. In our opinion, the application is hopelessly barred by limitation as provided under Section 21 of the Administrative Tribunals Act, 1985. The applicant should have approached the department after he recovered from his illness and if he was denied the required relief, he should have approached the Tribunal. But the applicant has approached this Tribunal after approximately 10 years. Therefore, on account of delay and laches on the part of the applicant, we are not inclined to issue notice to the respondents and this application deserves to be dismissed in limine at the stage of admission having grossly barred by limitation. MA 9/2001, for condonation of delay, does not deserve to be accepted. Therefore, We dismiss this application in limine at the stage of admission having grossly barred by limitation.

6. OA and MA both stand disposed of accordingly.



(A.P.NAGRATH)
MEMBER (A)



(S.K.AGARWAL)
(MEMBER (J))