

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI**

M.A. No. 1549/2017 &
O.A No. 321/2015

New Delhi this the 28th day of April, 2017

HON'BLE MR. P.K. BASU, MEMBER (A)

U.V. Uttamchandani,
Aged about 76 years,
Superintending Engineer (Retd.),
S/o Late Shri V.T. Uttamchandani,
R/o BD-5E, Munirka,
New Delhi. .. Applicant

(By Advocate: Ms. Bhawna Massey with
Dr. Ashwani Bhardwaj)

Versus

1. Union of India through
Its Secretary
Ministry of Urban Development,
Nirman Bhawan,
New Delhi-11.
2. Director General (Works),
C.P.W.D.,
Nirman Bhawan,
New Delhi-11.
3. Superintending Engineer (E),
PWD Electric Circle-1,
M.S.O. Building,
I.P. Estate,
New Delhi-2. .. Respondents

(By Advocate : Ms. Sangita Rai with Shri Pradeep Singh Tomar)

ORDER (ORAL)

Heard the learned counsel for both the sides.

2. MA 1549/2017 has been filed seeking condonation of delay of 5443 days in filing the O.A. The applicant has challenged letter dated 07.08.2003 by filing this O.A. on 22.12.2014. In his application for condonation of delay, the main reason for delay is stated to be his illness. The other ground taken is that this matter pertains to pensionary benefits of the applicant. The same is continuous cause of action and the same continues.

3. From the application of condonation of delay, it would appear that the applicant filed Contempt Petition No.340/2003 before this Tribunal against the action of the respondents for payment of retirement benefits of Rs.11,540/-. The Tribunal dismissed this Petition vide order dated 24.09.2003. The Review Application No.331/2003 filed by the applicant was also dismissed by the Tribunal vide order dated 02.12.2003.

4. The applicant thereafter filed Writ Petition in the Hon'ble High Court challenging the Tribunal's order by dismissing the C.P., which was dismissed by the Hon'ble High Court. The applicant thereafter filed an SLP No.31160/2009, which was also dismissed

by the Hon'ble Supreme Court vide order dated 04.12.2009. The applicant challenged order dated 04.12.2009 in Review Petition No.1927 of 2010 before the Hon'ble Supreme Court, which was dismissed vide order dated 23.11.2010. In these circumstances, the applicant filed Curative Petition No.16 of 2011 before the Hon'ble Supreme Court, which came to be dismissed on 15.02.2011. Thereafter, the applicant sought information under RTI Act.

5. It would be seen that the applicant had approached this Tribunal and Higher Courts in the same issue several times and these have been dismissed by all the Courts. As regards the period beyond that, it is stated to be because of his personal ailments.

6. In view of the facts stated above, MA 1549/2017 seeking condonation of delay is dismissed.

7. As a consequence, the O.A. is also dismissed. No order as to costs.

**(P.K. BASU)
MEMBER (A)**

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