

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**MA No.756/2017
OA No.731/2017**

this the 26th day of May, 2017

Hon'ble Mr. V. Ajay Kumar, Member (J)

Mukesh Kumar Jatav
Age 37 years
Group "B"
Post- Tool Maker
S/o Shri Jagan Nath
R/o 87, VPO Mukhmelpur
Delhi – 110 036.

.... Applicant

(By Advocate: Shri Ramashankar)

VERSUS

1. Union of India
Ministry of Defence
Through its Secretary
Sena Bhawan, New Delhi.
2. 505, Army Base Workshop
Stn. Delhi Cantt. Delhi – 110 010.
Through its Commandant.

.... Respondents.

(By Advocate: Shri G.S.Virk)

ORDER (ORAL)

Heard both sides.

2. The applicant, who is working as a Tool Maker under the 2nd respondent, filed the present OA seeking the following reliefs :-

"1. That the respondent may kindly be directed to grant the benefit of Superannuation Scheme, 1964 i.e. GPF facility to the applicants from the year 2003 from when the other fellow employees were granted the benefit of the said scheme."

3. The applicant also filed MA No.756/2017 seeking condonation of delay of 11 years 11 months in filing the OA. The applicant vide MA No.756/2017 and

the additional affidavit filed by him on 20.03.2017 submits that though he was appointed as Tool Maker vide letter dated 13.10.2003 but he joined on 23.03.2004. He made the first representation seeking the reliefs claimed in the OA only on 25.10.2016 but the reasons for the delay was procedural delay on the part of the Hospital for conducting the medical and thereafter on the part of the respondents.

4. It is his case that he was all-through waiting for the action of the respondents and that is why he could not file the OA in time.

5. Once the applicant is aware that he is entitled for certain benefits and having slept over the matter for more than a decade, cannot file the OA under the provisions of Administrative Tribunals Act, 1985 as per his convenience. As the reasons mentioned are not satisfactory for condoning the abnormal delay, the MA is liable to be dismissed.

6. In the circumstances, the MA is dismissed. Consequently, the OA is also dismissed. No costs.

(V. Ajay Kumar)
Member (J)

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