

**Central Administrative Tribunal
Principal Bench**

OA No.2807/2018

MA No.3131/2018

New Delhi, this the 07th day of September, 2018

Hon'ble Mr. Justice L. Narasimha Reddy, Chairman
Hon'ble Ms. Aradhana Johri, Member (A)

Shri Gir Raj Singh, Age 82 years

Des: Director, Group 'A'

R/o A-15/F1, A Block, Dilshad Garden

New Delhi-110095.

..Applicant

(By Advocate: Shri Ajay Yadav for Shri Janak Raj Rana)

Versus

1. Union of India through Secretary
Ministry of Works and Housing Development
Nirvan Bhavan, New Delhi-110011.
2. Chief Secretary
Government of National Capital Territory of Delhi
IP Estate, Vikas Bhavan, New Delhi-110002.
3. Chief Executive Officer
Delhi Urban Shelter Improvement Board
Punarvas Bhavan, Annex Vikas Bhavan
IP Estate, New Delhi-110002. ..Respondents

(By Advocates: Shri Krishna Kumar for Respondent No.1 and Shri Bindra Kumar Srivastava for respondent No.3)

ORDER (ORAL)

Justice L. Narasimha Reddy:-

MA No.3131/2018

This MA is filed with a prayer to condone delay of 3473 days in filing the OA. The facts in brief are that

the applicant retired from service in 1995. On account of pendency of disciplinary proceedings against him, by the time he retired, there was some uncertainty in the context of determining his pension. Ultimately, an order was passed on 11.06.2008 deciding the pension of the applicant. The said order is challenged in this OA, with a delay of almost 10 years.

2. The only reason assigned in para 2 of the MA, for condonation of delay, reads as under:-

"2. That the aforesaid delay of 3473 days has occurred primarily because the Applicant came to know about the latest judgments of the Hon'ble Supreme Court wherein, the Apex Court had granted pay and allowances only on 15.05.2018. Since, the Applicant found that the circumstances under which relief has been granted by various judicial pronouncements. Because the absorption was stayed in suit 901/87 filed by the applicant vs. UOI by Sub Judge Delhi vide judgment dated 24.12.1987 decided by Sub Judge Delhi vide order dated 05.08.1989 and because Hon'ble High Court in CR Suit 699/91 continued the stay granted and directed to contract the trial Court for early disposal and because the officer on deputation was absorbed pre-empted the decision of Hon. High Court."

3. Except making a reference to the judgment of the Hon'ble Supreme Court dated 15.05.2018, not a single reason is mentioned. The applicant did not even make a semblance of claim for the so called enhancement of

pension over the past ten years. Heavy burden lies on the applicant to explain such an enormous delay, and even the best of reasons may not come to his rescue, in view of the facts.

4. We do not find any ground to condone the delay. The MA is accordingly rejected. As a result thereof, the OA shall also stands rejected. There shall be no order as to costs.

(Aradhana Johri)
Member(A)

(Justice L. Narasimha Reddy)
Chairman

/vb/