

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

O.A. No.3644 of 2018

This the 11th day of December, 2018

**Hon'ble Ms. Nita Chowdhury, Member (A)
Hon'ble Mr. S.N. Terdal, Member (J)**

Trilok Singh,
S/o Sh. Megh Shyam,
r/o Village & P.O. Badipur,
Tehsil Kaman,
Distt. Bharatpur-321023.
Rajasthan.

....Applicant
(By Advocate :Ms. Usha Pandey)

VERSUS

1. Staff Selection Commission,
Block No.12, 5th Floor,
C.G.O. Complex, Lodhi Road,
New Delhi-110003.
2. Central Armed Police Force,
Through its Inspector General,
83, Mall Road,
Near G.T.B. Metro Gate No.1,
Delhi-110009.
3. Inspector General
BSF Rajasthan Frontier,
Mandore Road, Jodhpur-342007
Rajasthan.

.....Respondents
(By Advocate : Shri Shalok Chandra and Shri R.K. Sharma)

ORDER (Oral)

Ms. Nita Chowdhury, Member (A):

Heard learned counsel for the parties and perused the material placed on record.

2. By filing this OA, the applicant is seeking the following reliefs:-

- “A. direct the respondents to accept the result of the applicant in the examination for Constable (GD) – CAPF 2011 as still the recruitment against the post is taking place due to the vacancies available since then and as the SSC is still recruiting the candidates for Constable (GD) – CAPF from list of candidates of 2011;
- B. Pass such further order/orders, as this Hon’ble Court deems fit and proper in the facts and circumstances of the case.”

3. This case was earlier taken up for admission, this Tribunal on 25.9.2018 passed the following orders:-

“Pursuant to the Notification dated 05.02.2011 of Staff Selection Commission (SSC), the applicant applied for the post of Constable (GD) in CAPF. The written test was conducted on 05.06.2011, which was cleared by him. The applicant was called for his medical examination. However, he was declared medically unfit vide Annexure-A-2 dated 29.07.2011. The applicant submitted an appeal against the medical unfitness vide Annexure-A-3, (no date is mentioned). Thereafter, he was medically re-examined by the State Medical Council, Bharatpur and vide order dated 30.07.2011 (page 20), he was declared medically fit. As such, he is entitled for appointment of Constable.

2. We find that the applicant was declared medical fit on 30.07.2011, however, he has approached this Tribunal after a long delay.

3. Learned counsel for the applicant prays for some time to file an Application seeking condonation of delay. Prayer allowed. Let the same be filed within a week.”

4. Despite the fact that this case was earlier listed twice, the applicant has not chosen to file application for seeking

the condonation of delay although on initial date of hearing, when this Tribunal pointed out that there is a long delay, the counsel sought time to file condonation of delay application.

5. From the averments in the OA it is evidently clear that the applicant seeking grant of appointment on the post in question on the basis of his medical re-examination which was done by the State Medical Council, Bharatpur and vide order dated 30.07.2011 (page 20), he was declared medically fit. But the applicant has failed to explain the reason why he had chosen to file this OA in 2018 whereas on the strength of order dated 30.7.2011 vide which he was declared medically fit, he is seeking now in 2018 appointment to the said post. Prima facie, this Court is of the considered view that the present OA is hopelessly barred by limitation. As such the same is dismissed as barred by limitation. There shall be no order as to costs.

(S.N. Terdal)
Member (J)

(Nita Chowdhury)
Member (A)

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