

**Central Administrative Tribunal
Principal Bench, New Delhi**

OA No. 1116/2016

This the 5th day of September, 2019

**Hon'ble Mr. S.N. Terdal, Member (J)
Hon'ble Mr. A.K. Bishnoi, Member (A)**

Shri A.R. Bhayana, Aged 62 years
Son of Late Jaswanti Rai Bhayana,
R/o WZ-616/T, Rishi Nagar,
Delhi-110034.

... Applicant

(By Advocate: Ms. T. Banerjee for Sh. N S Dalal)

VERSUS

1. Union of India,
Through Ministry of Human Resources
& Development,
Shastri Bhawan,
New Delhi.
2. Central Tibetan Schools Administration,
Through its Director,
Ess Plaza Community Centre,
Sector-3, Rohini,
Delhi.

...Respondents

(By Advocate: Sh. Anil Srivastava)

ORDER (ORAL)**Hon'ble Mr. S. N. Terdal, Member (J):**

Heard.

2. In this OA, the applicant has prayed for the following reliefs:

“(i) Set-aside the order dated 11.01.2016 passed by the respondent No. 2;

(ii) Direct the respondent No. 2 to decide the appeal so filed by the applicant on merits;

OR IN THE ALTERNATIVE

Set-aside the order dated 29.01.2014 thereby reinstating the applicant with all consequential benefits including back wages, benefit of superannuation, payment of retiral benefits;

(iii) pass any such other or further orders as this Hon'ble Tribunal deems fit and proper on the facts and in the circumstances of the case, in favour of the applicant.”

At the time of hearing, we observed that Appellate Authority had dismissed the appeal on the ground of inordinate delay.

3. We are of the view that the appeal should have been considered by the Appellate Authority on merit.

4. Accordingly, we allow the OA and we direct the Appellate Authority (Respondent No. 2) to dispose of the appeal of the applicant by a reasoned and speaking order

within 45 days from the date of receipt of a certified copy of this order. No order as to costs.

(A.K. Bishnoi)
Member (A)

(S. N. Terdal)
Member (J)

/akshaya/