

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

MISC. APPLICATION NO. 291/731/2019
(ORIGINAL APPLICATION NO. 291/503/2019)

DATE OF ORDER: 29.08.2019

CORAM

HON'BLE MR. SURESH KUMAR MONGA, JUDICIAL MEMBER
HON'BLE MR. A. MUKHOPADHAYA, ADMINISTRATIVE MEMBER

Heeralal Verma S/o Late Shri Modulal, By Caste Bairwa, aged about 70 years, Resident of Near R.N. Tailor Power House Area, Indra Gandhi Nagar, Kota-4 (Raj.) at present posted as T/Man/E to T/Man/F Kota, mob 9414485076 Group D.

....Applicant

Mr. Govind Chaudhary, counsel for applicant.

VERSUS

1. Union of India through Secretary to Government of India, Department of Atomic Energy, Anushakti Bhawan, CSM Marg, Mumbai.
2. General Manager, Heavy Water Plan, Kota, Anushakti, District Chittorgarh (Raj.).
3. General Manager, Heavy Water Plan, Baroda, Gujrat.
4. The Assistant Personnel Officer, Heavy Water Plan, Kota Anushakti (Raj.).

....Respondents

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

The present Original Application has been filed by the applicant under Section 19 of the Administrative Tribunals Act, 1985 for quashing the letter dated 28.01.2009 (Annexure A/1) with a further direction to respondents to make the refund of excess amount recovered from him. A Misc. Application has also

been filed by him seeking condonation of delay in filing the said Original Application.

2. A perusal of communication dated 28.01.2009 (Annexure A/1) reveals that a sum of Rs. 2,20,298/- towards licence fee of the residential accommodation as well as a sum of Rs. 17,329/- towards allied charges was recovered from the applicant till December, 2008.

3. The applicant has failed to point out even a single plausible reason for not filing the Original Application within the period of limitation as prescribed under Section 21 of the Administrative Tribunals Act, 1985. A bald assertion that he had been submitting representations before the respondents can neither be believed nor it can be a ground to condone an inordinate delay of about a decade as, admittedly, the cause of action accrued in favour of the applicant on 28.01.2009.

4. Finding no merit, the Misc. Application, for condonation of delay in filing the Original Application, is hereby dismissed and consequent thereto, the Original Application is also dismissed being barred by limitation. No order as to costs.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER