

CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR

**Original Application No. 291/499/2019
with
Misc. Application No. 291/729/2019**

DATE OF ORDER: 30.08.2019

CORAM

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

Mahipal Yadav S/o Late Shri Banwari Lal, aged about 62 years, R/o 13, Yadav Nagar, Nine Shop, Panipech, Jaipur. Retired from post of Superintendent from office of Central Goods & Service Tax (Audit), Jaipur – mob. 9694061410.

....Applicant

Mr. C.P. Sharma, counsel for applicant.

VERSUS

1. Union of India through its Secretary, Ministry of Finance, Department of Revenue, North Block, New Delhi – 110001.
2. Commissioner, Central Goods and Service Tax (Audit), NCR Building, Statue Circle, C-Scheme, Jaipur-302001.

....Respondents

ORDER (Oral)

Per: Suresh Kumar Monga, Judicial Member

The applicant, who had been working as Superintendent with the respondents, retired on 30.12.2016 after attaining the age of superannuation. On 04th January, 2017, he moved a representation before the respondents requesting therein to reinstate him in service as it was not pointed out that under which provision of law, he was retired. The said representation was declined by the respondents vide order dated 27.01.2017.

The applicant again submitted a representation dated 16.04.2019 seeking his reinstatement in service. According to him, the said representation has also been declined by the respondents illegally through a communication dated 07/08.05.2019 (Annexure A/5).

2. Feeling aggrieved, the applicant has preferred the present Original Application under Section 19 of the Administrative Tribunals Act, 1985 seeking therein a direction to respondents to reinstatement him in service.

3. Along with the Original Application, the applicant has also filed a Misc. Application seeking condonation of delay of one year and seven months in filing the Original Application.

4. The applicant has already completed 62 years of his age. Learned counsel for the applicant could not point out any provision of law under which the applicant can be allowed to continue in service after attaining the age of superannuation i.e. 60 years of age.

5. Even otherwise, we do not find any reason to condone an inordinate delay of one year and seven months in filing the Original Application as the applicant has failed to point out any plausible reason for not filing the same within the period of limitation as prescribed under Section 21 of the Administrative Tribunals Act, 1985.

6. Finding no merit, the Original Application as well as Misc. Application, both are hereby dismissed. However, there shall be no order as to costs.

(A. MUKHOPADHAYA)
ADMINISTRATIVE MEMBER

(SURESH KUMAR MONGA)
JUDICIAL MEMBER

Kumawat