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Central Administrative Tribunal
Principal Bench

O.A. No. 436 of 2003
M.A. No. 468 of 2003

New Delhi, this the 26th February, 2003

HON'BLE MR. JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE MR. V.K. Majotra, MEMBER (A)

Smt Raj Bala
W/o Late Shri Mahavir Singh,
R/o H.No. - 931,
Ram Lal Pura,
Deechao Kalan
Najafgarh, New Delhi.

...Applicant.

(By Advocate: Shri Surat Singh)

Versus

1. Director,
Central Govt. Health Services Scheme
Room No. 505 'D' Wing
Nirman Bhavan,
New Delhi.
2. Chief Medical Officer,
CGHS (Ayurvedic Hospital,
Lodhi Road,
New Delhi.

....Respondents.

ORDER (Oral)

Justice V.S. Aggarwal

The applicant was appointed as Aaya in the CGHS (Ayurvedic) Hospital on 13.12.1977. On 14.3.1989 she was removed from service as per her own allegation. The present application has been filed on 24.02.2003 seeking quashing the order dated 14.3.1989.

2. Along with this application, a misc. application has been filed seeking condonation of delay almost after 14 years of passing impugned order.

3. The ground taken is that the applicant was

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unwell after the death of her husband who died in 1984. After that she was not communicated any order of removal and, therefore, the delay in filing the present O.A. may be condoned.


4. On careful consideration, we are of the opinion that there is no good ground for condonation of delay. The reason is obvious and not far to fetch. As regards the plea that she was unwell and has now recovered and regained her memory, the application is conspicuously silent as to when she lost the same, became unwell or recovered health. It is anybody's guess. The bald assertion would not cut any ice. The said plea must necessarily fail.

5. As regards the plea that she has not received any communication, the reason is obvious that the applicant has not served since 1989, therefore, it will be deemed that she was aware of the order of removal.

6. No other plea has been raised. MA 468/2003 must fail and is dismissed as no good grounds exist for condonation of delay.

7. Resultantly, the OA, being barred by time, is dismissed.


(V.K. Majotra)
Member (A)


(V.S. Aggarwal)
Chairman

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