

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

O.A.NO.1302/2003  
M.A.NO.1149/2003

Friday, this the 23rd day of May, 2003

Hon'ble Shri Justice V.S. Aggarwal, Chairman  
Hon'ble Shri Govindan S. Tampi, Member (A)

Kaushal Singh (994/SD) Ex.Const.  
s/o Shri Shiv Lal  
R/o Vill. & PO/PS Bawal  
Distt. Rewari, Haryana.

..Applicant

(By Advocate: Shri Shyam Babu)

Versus

1. Govt. of NCT of Delhi through  
its Chief Secretary  
Delhi Sachivalaya, Players' Bldg.  
ITO, New Delhi
2. Joint Commissioner of Police  
Southern Range  
Delhi Police Headquarters  
ITO, New Delhi
3. Addl. Dy. Commissioner of Police  
South District  
PS Hauz Khas, New Delhi

..Respondents

O R D E R (ORAL)

Shri Justice V.S. Aggarwal:

The applicant had been dealt with departmentally and the disciplinary authority had imposed a penalty of removal from service. The appeal had been dismissed on 7.4.2000. By virtue of the present application, the applicant seeks quashing of the orders passed by the disciplinary as well as the appellate authorities.

2. Along with original application, a miscellaneous application (MA-1149/2003) has been filed seeking condonation of delay in filing of the present application. It had been asserted that the wife of the applicant committed suicide in 1992. This led to



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domestic problems. After that, he had been removed from service and he was disturbed and did not take suitable action in time. It has also been pointed that the applicant has no source of income and in these facts, delay may be condoned.


3. It is not being disputed at the Bar that the period of limitation, which is one year from the date the cause of action had arisen, expired more than two years ago. The settled principle of law is that after the period of limitation expires, each day's delay should be explained.

4. The position herein is totally different. So far as the death of applicant's wife is concerned, that happened more than eleven years ago. Subsequently, to state that he was mentally disturbed or that there was financial hardship, in the facts does not appear to be a good ground for condonation of delay. It is nobody's guess as to <sup>when</sup> ~~why~~ the financial hardship has been overcome to prompt him to file the application at this stage. The assertions so made are vague and in that view of the matter, we find that there is no good ground for condonation of delay.

5. Resultantly, MA and OA fail and are accordingly dismissed.

(Govindan S. Tampi)  
Member (A)

/s/Unit/



(V.S. Aggarwal)  
Chairman