

(2020) 10 CAT CK 0120

In the Central Administrative Tribunal

Case No : Original Application No. 1637 Of 2020, Miscellaneous Application No. 1042 Of 2020

Diwan Singh

APPELLANT

Vs

Secretary

RESPONDENT

Date of Decision : 22-10-2020

Acts Referred:

Citation : (2020) 10 CAT CK 0120

Hon'ble Judges : L. Narasimha Reddy, J; Aradhana Johri, Member (A)

Bench : Division Bench

Advocate : Ashok Kumar, Ashish Rai

Final Decision : Dismissed

Judgement

L. Narasimha Reddy, J

1. The applicant has filed M.A with a prayer to condone the delay 1995 days in filing the O.A. The applicant intends to challenge the order dated

10.02.2009, through which he is said to have denied the benefits of 3rd Modified Assured Career Progression (MACP) Scheme. The reason for delay

stated by the applicant is that he retired from service in the year 2012 and ever since, his wife was suffering from various ailments.

2. Respondents filed a reply opposing the M.A.

3. We heard Mr. Ashok Kumar, learned counsel for applicant and Mr. Ashish Rai, learned counsel for respondents, at length, through video conferencing.

4. Though the applicant has stated that the delay is of 1995 days, it is much more than that. The delay is nearly 11 years. The order was passed on

10.02.2009, at a time when the applicant was in service. He retired three years

thereafter. Even for the best of reasons, the delay cannot be condoned.

5. M.A is accordingly dismissed. As a result, the O.A also stands dismissed.

There shall be no order as to costs.