

\$~47

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 11140/2016 & CM No.43561/2016

SHRI PREM CHAND

..... Petitioner

Through: Ms. Rani Bhardwaj & Mr. Arun
Panwar, Advocates

versus

UNION OF INDIA & ANR

..... Respondents

Through: Mr. Rahul Singh, Advocate

CORAM:

HON'BLE MR. JUSTICE SANJIV KHANNA

HON'BLE MR. JUSTICE CHANDER SHEKHAR

ORDER

%

29.11.2016

The petitioner – Prem Chand is aggrieved and challenges the order dated passed by the Principal Bench of the Central Administrative Tribunal, New Delhi, whereby his OA No.3201/2013 has been dismissed on the ground of limitation as also being devoid of merit.

The petitioner had worked as daily wage workman from 12.5.1998 till the end of 1999 in the Office of Chief Controller of Accounts. Once the respondents stopped engaging the petitioner, he, along with similarly situated, had filed OA No.328/2000, which was disposed of vide order dated 12.9.2000, recording that the petitioner would not be replaced by a fresher/outsider contrary to the settled law.

The petitioner had then filed WP(C) No.607/2000, in which initially stay was granted, but was vacated on 1.2.2000. Consequent thereto, the service of the petitioner was terminated in the year 2000.

After about eight/ten years, in 2008/2010, the petitioner wrote some letters and thereafter filed the aforesaid OA in 2013, which has been dismissed.

The delay in approaching the Tribunal is apparent. There is also no explanation whatsoever, except pleading that representations were made. These representations were also after a long and unexplained delay. Even on merits, we notice that the petitioner had worked for a few months and his appointment as casual workman was not in accordance with the Recruitment Rules or after following any procedure of selection, acceptable in law.

In view of the aforesaid facts, we do not find any merit in the writ petition and the same is dismissed. CM No.43561/2016 is also dismissed.

SANJIV KHANNA, J

CHANDER SHEKHAR, J

NOVEMBER 29, 2016/tp