

\$~11

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

+ W.P.(C) 5663/2018 & CM No.22064/2018

SHRI MANORANJAN KABASI Petitioner
Through: Ms.Sanjucta Kabasi, Advocate

versus

MINISTRY OF RAILWAYS AND ORS. Respondents
Through: None.

CORAM:
HON'BLE MS. JUSTICE HIMA KOHLI
HON'BLE MS. JUSTICE PRATIBHA RANI

ORDER
25.05.2018

%

1. The petitioner is aggrieved by an order dated 01.05.2018, passed by the Central Administrative Tribunal, dismissing the Original Application filed by him [O.A. No.3891/2017], praying *inter alia* for quashing of an order dated 25.08.2010, passed by the respondents for recovery of ₹3,79,635/- from his salary @ ₹16,000/- per month.
2. By the impugned order, the Tribunal has declined to entertain the said petition on account of a delay of seven years and one month in filing the Original Application, reckoned from the date the cause of action arose in favour of the petitioner for the first time i.e. from 25.08.2010. The Tribunal has also noted that the long period of delay has not been explained by the petitioner at all and the recovery was completed when he was still in service but he did not raise any grievance in this regard at that time.

3. The provisions of Section 21 of the Administrative Tribunals Act, 1985 that deals with the limitation, are clear. Following the stipulations in the said provision, the petitioner had time up to 18 months reckoned from the date he had raised the grievance with the respondents for the purported unlawful deductions from his salary which is stated to be 06.09.2010. However, he did not take any steps for more than seven years to ventilate his grievance by approaching the court. In such circumstances, the impugned order does not warrant any interference.

4. The petition is dismissed *in limine*, along with the pending applications.

HIMA KOHLI, J.

PRATIBHA RANI, J.

MAY 25, 2018
'hkaur'