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

+ **W.P.(C) 7005/2019**

RAMA KANT SHUKLA

..... Petitioner

Through: **Mr. Amit Sharma & Ms. Malavika B. Pillai, Advocates.**

versus

**NATIONAL INSTITUTE OF MALARIA
RESEARCH CENTRE AND ORS.**

..... Respondents

Through: **Mr. Jasbir Bidhuri, Advocate for
respondents No.1 & 2.
Ms. Vinny Shangloo, Advocate for
UOI.**

CORAM:

HON'BLE MR. JUSTICE VIPIN SANGHI

HON'BLE MR. JUSTICE RAJNISH BHATNAGAR

ORDER

03.07.2019

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C.M. No. 29192/2019

Exemption allowed, subject to all just exceptions.

The application stands disposed of.

W.P.(C) 7005/2019

The petitioner assails the order dated 26.02.2019 passed by the Central Administrative Tribunal, Principal Bench, New Delhi (CAT/ Tribunal) in O.A. No.1404/2017. The Tribunal has rejected the said Original Application preferred by the petitioner, wherein the petitioner had, inter alia, sought a direction to the respondents to regularise his services with retrospective effect from the date of his original appointment on 16.08.1988, and to grant consequential reliefs, including proper pay fixation, promotion, etc. as had been granted to other employees consequent upon the

judgment of this Court dated 20.03.2013 in W.P. (C) No.1554/2003 titled ***Malaria Research Centre Employees Welfare Association & Another Vs. Malaria Research Centre thru its Director and Others.***

The Tribunal has rejected the Original Application primarily on the ground of limitation by observing that the petitioner had retired on 21.08.2012, i.e. well before the filing of the Original Application.

Having heard learned counsel for the petitioner and perused the record, we find absolutely no merit in this petition. The petitioner never agitated before any Court, or Tribunal with regard to his claim for regularisation while he was in service. Only after this Court had decided W.P. (C.) No. 1554/2003 on 20.03.2013, after waiting for nearly four years, he preferred the aforesaid Original Application. The fact that the petitioner had filed the representation earlier is of no avail, since he was obliged to follow it up with appropriate legal proceedings in case the representation made by him did not bear fruit. If the submission of the petitioner is accepted, it would open up a Pandora's Box and all other similarly situated would rake up their stale claims long years after they had superannuated.

We do not find any merit in this petition. Dismissed.

VIPIN SANGHI, J

RAJNISH BHATNAGAR, J

JULY 03, 2019

B.S. Rohella