

77 **09.4.2021**

gd/ssd

WPCT 13 of 2021
(Through Video Conference)

Gautam Sardar & Anr.
Vs.
Union of India & Ors.

M/s. Bharat Bhushan with
Atindranath Misra, Advocates present in Court
..for the Petitioners

The order dated November 27, 2020 passed by the Central Administrative Tribunal (for short 'the Tribunal') in O.A. No.350/00897 of 2020 has been challenged by filing the present writ petition. Application was filed by the petitioners for condonation of delay of two years and seven months in filing O.A. The delay was not condoned by the Tribunal and the application was dismissed.

To explain the delay the learned counsel for the petitioners submitted that in earlier O.A. No.350/01582 of 2014 filed by the petitioners direction was issued to the official respondents for consideration of the case of the petitioners. As the aforesaid order was not complied with, C.P.C. No. 07 of 2017 was filed. During the pendency thereof consideration order was passed by the concerned authority on February 13, 2017. As per legal advice received, the petitioners continued with the contempt application and did not challenge the order

WPCT 13 of 2021

passed by the competent authority on February 13, 2017. The moment the petitioners were advised properly, the order was challenged. The delay was not intentional.

After hearing learned counsel for the petitioners, we do not find any merit in the present petition.

The Tribunal dismissed the contempt petition on December 20, 2019. The writ petitioners did not challenge the order dated February 13, 2017, immediately thereafter, as the application was filed before the Tribunal on October 05, 2020.

There was huge delay in filing of O.A. after dismissal of the contempt petition. We do not find any case was made out for condonation of delay in filing the Original Application.

The writ petition is accordingly dismissed.

(Rajesh Bindal, J.)

(Aniruddha Roy, J.)

