

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.3665 OF 2022

Chhaya Samundre wd/o Late Ramesh M. Samundre, Nainpur Dist. Mandla (M.P.)

-vs-

Union of India Thr. Its General Manager, South East Central Railway, Bilaspur and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri C. L. Deharia, Advocate for petitioner
Shri N. S. Deshpande, Assistant Solicitor General of India for
respondents.

CORAM : A. S. CHANDURKAR AND URMILA JOSHI-PHALKE, JJ.

DATE : July 06, 2022

The petitioner challenges the order dated 01/08/2018 by which the Central Administrative Tribunal has refused to condone delay of about twenty years in challenging the order of dismissal dated 30/12/1994.

Heard.

We have perused the application for condonation of delay that was moved before the Tribunal as well as the impugned order. It is seen that the petitioner's husband was dismissed from service on 30/12/1994. He filed a revision application challenging that order which was dismissed on 18/05/1995. The petitioner's husband during his life time did not challenge the order of dismissal. He expired on 09/03/2013 and after his death the widow has sought to challenge the order of dismissal.

Though it is urged by the learned counsel for the petitioner that the husband was not in a proper frame of mind during his life time which aspect is sought to be supported by a certificate dated 20/03/2013 issued by a Doctor, it is found that

said certificate also does not inspire any confidence as the qualification of the doctor mentioned therein is 'B.Sc.DHB'. The Tribunal has rightly doubted the same. We do not find that the delay has been satisfactorily explained by the petitioner and hence no fault can be found with the order of Tribunal when it refused to condone delay of almost twenty years.

The writ petition stands dismissed with no order as to costs.

(Urmila Joshi-Phalke, J.)

(A. S. Chandurkar, J.)

Asmita