

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

WRIT PETITION NO.4890 OF 2019

[Ms. Meena Kumari Yadav d/o Late Shankar Akali .vs. Union of India and one]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri C.L. Deharia, Advocate for the petitioner,
Shri N.P. Lambat, Advocate for the respondent no.2.

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Coram : A.S. Chandurkar and Smt. M.S. Jawalkar, JJ.
Dated : March 11, 2022.

The challenge raised in this writ petition is to the order passed by the Central Administrative Tribunal dated 22.01.2019. By that order, the Tribunal has dismissed the Original Application which was filed for challenging the order dated 10.11.2005 refusing to extend the employment assistance to the petitioner. The Tribunal has found that though the impugned orders were passed on 21.05.2003 and 10.11.2005, there was no explanation for the delay of about thirteen years.

2. We have heard the learned counsel for the parties and we have perused the documents placed on record. The claim for seeking employment assistance was made by the petitioner initially in the year 2003. The Divisional Personnel Officer did not recommend the case for employment assistance on the ground that family pension was being received by the petitioner's mother-widow of the deceased employee and that it was sufficient for her survival. Thereafter, the petitioner made another application dated 7.10.2005 seeking employment assistance. The petitioner was informed that

she was found to be medically unfit and hence her claim was rejected. These two orders were challenged by the petitioner by filing Original Application on 24.12.2018. The application for condonation of delay does not contain any explanation whatsoever for the time spent from 10.11.2005 to 2018 which period is of almost thirteen years. It is thus clear that the petitioner could sustain without such employment assistance.

3. We, therefore, find that the Tribunal did not commit any error in refusing to condone the delay. There is no case made out to interfere in writ jurisdiction. The writ petition is therefore dismissed. Civil Application No.529/2022 also stands disposed of. No costs.

(Smt. M.S. Jawalkar, J.)

(A.S. Chandurkar, J.)

Gulande