

W.P.C.T. 189 of 2025

Srikanta Mondal
Vs.
Union of India & Ors.

Mr. Kamalesh Chandra Saha,
Ms. Payel Mitra,
Mr. Anurag Bose

...for the Petitioner

1. Heard the learned counsel for the writ petitioner.
2. It is the case of the writ petitioner that he participated in a process of recruitment of Group - 'D' post conducted by the railways in the year 1997. The date of interview was 23.07.1997 and a panel, as per the averments made in the writ petition was published on 16.12.1997. The petitioner thereafter claims that he submitted a representation that in the panel published, his call letter number was wrongly mentioned by the authorities and thereby the petitioner was deprived of consideration/appointment in the process. The panel is of the year 1997. The first dated representation filed by the writ petitioner is of 12.10.2017. The petitioner thereafter has invoked the jurisdiction of the Central Administrative Tribunal, Kolkata Bench ("Tribunal" for short) by filing an application bearing O.A. No. 977 of 2019.

3. The Tribunal considering the above timeline has dismissed the O.A. as being hopelessly barred by limitation.
4. The learned counsel for the writ petitioner submits that by now the law is very well-settled that issue of limitation is not to be considered only based on the length of delay; and acceptability of the explanation for delay is required to be seen. He further submits that on ground of limitation, an otherwise meritorious case should not be thrown out. In support of his submissions, he has relied on two decisions of the Hon'ble Apex Court in the case of **N. Balakrishnan Vs. M. Krishnamurthy** reported in **AIR 1998 Supreme Court 3222** as well as the **Collector Land Acquisition, Anant Nag & Ors. Vs. Mst. Katiji & Ors.** reported in **AIR 1987 Supreme Court 1353**.
5. The proposition of law advanced by the learned counsel is undeniable. The proposition, however, would apply only in case an acceptable explanation is given, irrespective of the length of delay. In the present writ petition, the first dated representation made by the petitioner in respect of alleged irregularities in the result of 1997 has been made on 12.10.2017.

6. The O.A. has been preferred 22 years after the alleged date of interview; and the first representation was made 20 years after the interview.
7. There is no material on record whatsoever to suggest that there is any reason, let alone, sufficient cause, for this long lapse.
8. We therefore find no infirmity in the order dated 30.06.2025 passed by the Central Administrative Tribunal, Kolkata Bench in O.A. No. 977 of 2019 requiring any interference by this Court in exercise of extraordinary discretionary writ jurisdiction under Article 226 of the Constitution of India.
9. The Writ Petition being **W.P.C.T. No. 189 of 2025** is dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)