

29th July, 2025
(D/L No.166)
Ct. No.4
(SKB)

W.P.C.T.276 of 2024

Sri Sufal Naskar AE (QA) Retired
Versus
Union of India and others

Mr. Ranjit Kumar Roy,
Ms. Sabarnee Chatterjee,
Mr. Santunu Marrick
....for the petitioner.

Ms. Rashmi Bothra,
Mr. Guddu Singh
... for the U.O.I.

1. Heard the learned counsel for the petitioner and the Union of India.
2. The petitioner was serving the defence department and was served with a Charge Memo on 27.09.1999. The same led to an order of punishment dated 24.01.2005. The petitioner retired on 31.03.2013. The O.A. seeking quashing of the punishment order has been filed in the year 2020.
3. The delay of 15 years and 278 days is sought to be justified by the applicant/petitioner before the Central Administrative Tribunal (in short 'Tribunal') by submitting that he was filing representations which have finally been disposed of on 10.12.2019.

4. The law is very well settled that cause of action for the purpose of limitation and delay and laches has to be taken from the date on which it occurred and cannot be taken from the date of disposal of a belated representation which shall not give an opportunity to the petitioner to contend that rejection of such representation gives rise to a fresh cause of action. In this connection, we are guided by a decision of the Apex Court in the case of ***Surjeet Singh Sahni Vs. State of Uttar Pradesh and others*** reported in ***(2022)15 SCC 536***. The Tribunal has rightly dismissed the O.A. on the grounds of delay. We find no infirmity in the order of the Tribunal.
5. The writ petition is, thus, dismissed.

(Madhuresh Prasad, J.)

(Supratim Bhattacharya, J.)