

CENTRAL ADMINISTRATIVE TRIBUNAL CHANDIGARH BENCH

Order Sheet

Item no.: 8
O.A./108/2021 (CHANDIGARH)
[RE FIXATION OF PAY]
[SENIOR CITIZEN]
With
M.A./387/2021
Court No.: 1

No of Adjournment: 10

Order Dated: 21/02/2023

SATPAL SINGH
Vs
BHARAT SANCHAR NIGAM LIMITED

For Applicant(s) Advocate : SH. N.K. MAHLHOTRA

For Respondent(s) Advocate : SH. K. K. THAKUR

Order of The Tribunal

M.A. No.387/2021

This application has been filed by the applicant for condonation of delay in filing the original application.

It has been submitted by the applicants that co-employees of the applicants had already filed O.A. in the year 2010 and same the same was allowed. Later on, respondent department filed the Writ Petition before the Hon'ble High Court, which was dismissed in the year 2013. Thereafter, respondent department approached the Hon'ble Apex Court in the year 2018 by filing SLP, which was also dismissed on 11.12.2018. It has been submitted by the applicants that thereafter, they made representation dated 01.11.2020 (Annexure P-13) but the same was not decided by the respondents. Applicant has further submitted that thereafter Covid-19 Pandemic situation was there and he could not file original application and he could file this O.A. on 28.01.2021 and in view of the order passed by the Hon'ble Apex Court regarding not counting of

Covid-19 period for the purposes of limitation, delay in filing the O.A. may be condoned.

Respondents have filed short reply wherein it has been submitted that the OAs relied upon by the applicants were disposed of by this Tribunal on 26.05.2010 and 26.11.2010 and this O.A. has been filed by the applicants on 28.01.2021. It has also been submitted that there is no day-today explanation of delay.

This Tribunal has considered the matter and perused the judgments passed by the various Courts and are of the view that delay has been explained by the applicants. In view of the order passed by the Hon'ble Apex Court regarding not counting of Covid-19 period for the purposes of limitation, this M.A. is allowed and delay in filing the Original Application is hereby condoned.

M.A. stands disposed of.

Original Application

Pleadings are complete.

List for hearing on 21.04.2023.

Rashmi Saxena Sahni
Member (A)

Ramesh Singh Thakur
Member (J)

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