

CENTRAL ADMINISTRATIVE TRIBUNAL CHANDIGARH BENCH

Order Sheet

Item no.: 16
O.A./341/2023 (CHANDIGARH)
[MACP]
[SENIOR CITIZEN]
Court No.: 1

No of Adjournment: 8

Order Dated: 01/04/2024

**MADAN GOPAL SHARMA
Vs
POST PUNJAB CIRCLE**

For Applicant(s) Advocate : SH. VIJAY SYAL

For Respondent(s) Advocate : SH. SANJAY GOYAL SENIOR CGSC

Order of The Tribunal

MA 843 / 2023

This application has been filed by applicant seeking condonation of delay of 659 days in filing OA. The contention of applicant is that MACP is a recurring cause of action. The applicant has relied upon the judgement passed by the Supreme Court in the matter of **M.R.Gupta Vs. Union of India 1996 (1) SCT 8 and P.L.Shah Vs. Union of India 1989 (1) SLR 573,1989 AIR (SC), 985.** The applicant has also relied upon the judgement in the matter of **Union of India Vs. Tarsem Singh 2008(4) SCT 19.**

Learned counsel for the applicant submits that this Tribunal has also relied upon the judgement passed by the Apex Court.

Respondents have filed reply, wherein, it has been submitted that day to day delay is not explained.

This Tribunal has considered the matter and has gone through the judgement passed by the Apex Court (supra). As the case is of MACP, which is a recurring cause of action, MA is allowed and delay is hereby, condoned.

OA

The applicant seeks and is allowed four weeks time to file rejoinder.

List on 08.07.2024.

Registry is directed to reflect the name of Sh. Sanjay Goyal as learned counsel for respondents in place of Sh. A.K.Sharma in the future causelist.

Rashmi Saxena Sahni
Member (A)

Ramesh Singh Thakur
Member (J)

/db/