



2026:AHC:49941-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 19155 of 2025

Baijnath

.....Petitioner(s)

Versus

Central Administrative Tribunal Allahabad and 5
others

.....Respondent(s)

Counsel for Petitioner(s)	: Brijeshwar Dutt Mishra, Hitesh Kumar Mishra, Vibha Diwedi
Counsel for Respondent(s)	: Ravi Ranjan, A.S.G.I., Anita Srivastava

Chief Justice's Court

HON'BLE ARUN BHANSALI, CHIEF JUSTICE
HON'BLE KSHITIJ SHAILENDRA, J.

1. This writ petition is directed against order dated 11.11.2025 passed by the Central Administrative Tribunal, Allahabad Bench, Allahabad ('the Tribunal'), whereby the Original Application ('O.A.') filed by the petitioner has been dismissed as barred by limitation on account of dismissal of application seeking condonation of delay.
2. The O.A. was filed in the year 2017 aggrieved of the order dated 23.03.2011, whereby the claim of the petitioner seeking compassionate appointment was rejected. In the application seeking condonation of delay, submissions were made that the petitioner after rejection of his candidature has been making representations to the respondents, the Prime Minister of India and the Chief Minister of Uttar Pradesh, however, when nothing happened, he has approached the Tribunal.
3. The Tribunal, after hearing the parties, came to the conclusion that once the cause of action arose with the rejection of the application on 23.03.2011, the petitioner was required to approach the Tribunal in time. Qua the plea raised regarding repeated representations being made, it was held based on judgment in **Bhop Singh Vs. Union of India and others: (1992) 3 SCC 136** that inordinate and unexplained delay or laches is by itself a ground to refuse relief to the party irrespective of merit of the claim and, consequently, rejected the application seeking condonation of delay as well as the O.A.

4. Counsel for the petitioner reiterated the submissions that post rejection of his candidature, none suggested the petitioner to approach the Tribunal and he kept on approaching the respondents and other constitutional authorities in this regard and after failing to get any response, filed the O.A.

5. The plea sought to be raised before the Tribunal and before this Court by itself does not carry any substance, inasmuch as it is well settled that once an order has been passed, merely making representations would not increase the limitation as provided under the provisions of the Administrative Tribunals Act, 1985.

6. The Hon'ble Supreme Court in the case of **S.S. Rathore Vs. State of Madhya Pradesh: (1989) 4 SCC 582** *inter alia* laid down as under:-

"20. We are of the view that the cause of action shall be taken to arise not from the date of the original adverse order but on the date when the order of the higher authority where a statutory remedy is provided entertaining the appeal or representation is made and where no such order is made, though the remedy has been availed of, a six months' period from the date of preferring of the appeal or making of the representation shall be taken to be the date when cause of action shall be taken to have first arisen. We, however, make it clear that this principle may not be applicable when the remedy availed of has not been provided by law. Repeated unsuccessful representations not provided by law are not governed by this principle."

(emphasis supplied)

7. In view of the above fact situation, no case for interference in the order impugned is made out.

8. The petition has no substance and the same is, therefore, dismissed.

(Kshitij Shailendra,J.) (Arun Bhansali,CJ.)

March 11, 2026

SL/AKShukla