

O.A. No. 86/2010

22.04.2010

Present: Sh.P.N. Mishra, Advocate, counsel for the applicant.

Ms.Barkha Babbar, Advocate, counsel for the respondents with Flt Lt Vishal Chopra.

1. Heard learned counsels for the parties.
2. Applicant was discharged from service on 26.07.1967 and he has filed this petition in 2010. It is pointed out by him that he was discharged on medical ground but the order of discharge was endorsed on 26<sup>th</sup> January, 1979. His representation which was filed appears to be of the year 2000 addressed to Prime Minister of India and then he kept on making repeated representations for grant of disability pension. Applicant was inducted into Indian Air Force way back in 1964 and he continued for 2 years and 229 days.
3. We have gone through the original application and reply filed by the respondents.

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4. We repeatedly asked learned counsel for the applicant to explain after 1967 whether applicant has made any representation or he has stated as a fact anywhere petition. Learned counsel for the applicant is not able to show about this in his original application except that he lost original documents for which he filed a FIR in 2008. But prior to that what efforts were made, has not been disclosed even in the petition.

5. Learned counsel for the respondents has pointed out that this is old matter of 33 years and all the documents have already been destroyed.

6. Having heard learned counsel for the parties, we are of the opinion that this petition is hopelessly barred by time. Applicant is trying to rake up the issue which was arisen 33 years ago. Consequently, petition is belated and we do not think that this is a fit case in which we can interfere for the benefit of the application. The petition is dismissed. No order as to costs.

— A.K. MATHUR  
(Chairperson)

M.L. NAIDU  
(Member)

New Delhi  
April 22, 2010