

SUPREME COURT OF INDIA

Harish Chandra Yadav

Vs.

Union of India

C.A.Nos.9547 of 2007

(Altamas Kabir and Cyriac Joseph JJ.)

13.05.2009

ORDER

1. Leave granted.

2. This appeal is directed against the order of the Allahabad High Court, in writ petition No. 20486/01, challenging the order passed by the Central Administrative Tribunal, Allahabad, in O.A. No. 967/97, dismissing the appellant's Original Application for non-compliance of the Court's order regarding supplying of correct addresses of the respondents Nos. 1 & 2 before the Tribunal.

3. The High Court while considering the matter had also taken into consideration the submission which appears to have been made that the appellant had filed his claim petition after a lapse of 17 years which is disputed by the appellant. Furthermore, the High Court has also taken into consideration the counter affidavit filed in the writ petition where it had been indicated that the appellant had worked for 120 days in the year 1980.

4. The second part of the High Court's order was not really the subject matter of the proceedings before the High Court.

5. Having heard learned counsel for the respective parties, we set aside the orders passed by the High Court as well as the Tribunal and direct the Tribunal to consider the appellant's revisional application No.967/97 afresh, upon the appellant supplying the correct addresses of the respondents Nos. 1 and 2 within one month from the date of the communication of this order. In the event the correct addresses are not supplied within the said period, this order shall cease to be operative and the appeal shall stand dismissed.

6. The appeal is disposed of.