

CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH.

O.A. NO. 2541/93

New Delhi this the 15th day of November, 1994.

Shri N.V. Krishnan, Vice Chairman(A).

Shri C.J. Roy, Member(J).

Union of India through

1. General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. Divisional Personnel Officer,
Bikaner Division, Northern Railway,
D.R.M.'s Office,
Bikaner.

...Applicants.

By Advocate Shri R.L. Dhawan.

Versus

1. Shri Budh Ram
S/o Shri Chuna,
Gangman,
C.P.W.I., Bikaner Division,
Northern Railway,
Rewari.
2. Presiding Officer,
Central Government Labour Court,
Ansal Bhawan, 11th Floor,
Kasturba Gandhi Marg,
New Delhi.

..Respondents.

None for the respondents.

ORDER (ORAL)

Shri N.V. Krishnan.

Shri R.L. Dhawan, Counsel, for the applicants appears and produces an affidavit ~~enclosing~~ enclosing therewith an advertisement issued in the newspaper 'DAINIK PUNJAB KESRI, DELHI' dated the 11th November, 1994 in regard to giving notice to Respondent No. 1 that this case is to be taken up today. The first respondent is not present before us. In the circumstance, service on the respondents is complete.

2. We have heard the learned counsel for the applicants. The applicants seek to impugn the

Annexure A-I order of the Labour Court passed on 5.6.1992 in LCA No. 869/87. The O.A. itself has been filed on 22.11.1993. Obviously, there is a delay in filing the O.A. M.A. has been filed for condonation of delay. We find that a certified copy of the judgement of the Labour Court was applied on 26.11.1992 which had been received on 31.12.1992 by the counsel in the Labour Court. The learned counsel states that the copy was received by the applicants only on 3.8.1993. Immediately thereafter the matter was taken up and the O.A. was filed on 22.11.1993. He requests that in view of the above circumstances, short delay of about four months be condoned.

3. We are not impressed by the arguments that the certified copy of the judgement was received only on 3.8.1993 when their counsel had received the copy on 31.12.1992. We also notice that more than five months have been taken even to apply for taking certified copy of the judgement in the Labour Court. We also notice that the order was passed in the presence of counsel for the applicants. We further notice that the amount involved in the litigation is only Rs. 183/-.

4. In the circumstance, we are of the view that there is no case made out for condonation of delay in filing the application. Therefore, the O.A. itself is dismissed as barred by limitation.

(C. S. ROY)
MEMBER(J)

(N.V. KRISHNAN)
VICE CHAIRMAN(A)

'SRD'