

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL.
NEW DELHI

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O.A. No.751/93
M.P. No.972/93

Date of decision 15.10.93

Sh. Kishan Swaroop

Applicant

Sh. Kuljiwan Goyal

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Advocate for the petitioner

Vs.

U.O.I. & Others

...

Respondents

Sh. Dharam Pal, D.R.

...

CORAM

Hon'ble Mr. N.v. Krishnan, V.C.(A)

Hon'ble Mr. B.S. Hegde, Member(J)

ORDER(ORAL)

(delivered by Sh. N.v. Krishnan, V.C.(A))

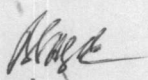
The applicant has filed M.P. 972/93 for condonation of delay. Notice was given to the respondents.

Today, when the case came up for admission, we noticed that the applicant is aggrieved by the order dated 20.12.78 of the Chief Superintendent, Central Telegraph Office (Respondent No.3) imposing the penalty of removal from service as also the order dated 5-9-80 of the Deputy General Manager (Admn) who has rejected his appeal (An.A-1). We notice that both these orders have been passed long before 1.11.82, which is the earliest date of ^{the occurrence of} service grievance in respect of which jurisdiction is vested in this Tribunal by Section 21 of the A.T. Act. In other words, in respect of any impugned order passed earlier to 1.11.82,

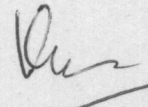
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this Tribunal has no jurisdiction, unless the employee has kept the matter alive by filing a civil suit etc. It is also not as if this case has been transferred to us after 1.11.85 by any other court where it was pending when the Act came into force. Therefore, the question of condoning any delay does not arise.

In the circumstances, this application is not maintainable and, ^u ⁱ accordingly dismissed.


(B.S. Hegde)

Member(J)


15/10
(N.V. Krishnan)

Vice Chairman(A)