

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
 AHMEDABAD BENCH
 NEW BENCH

M.A. No. 267 OF 1991 in
 O.A. No. Stamp No. 283 OF '91 X98
 XXXXX NoX

(Cat/275/91)

DATE OF DECISION 19.8.1991

Shri Govindbhai Muljibhai Darji **Petitioner**

Mr. G. I. Desai **Advocate for the Petitioner(s)**

Versus

Union of India & Ors. **Respondent**

Mr. P. M. Raval **Advocate for the Respondent(s)**

CORAM :

The Hon'ble Mr. M. M. Singh : Administrative Member

The Hon'ble Mr. S. Santhana Krishnan : Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the Judgement?
4. Whether it needs to be circulated to other Benches of the Tribunal?

Govindbhai Muljibhai Darji,
Ex-Postal Assistant,
Vallabh Vidyanagar,
Post Office Anand
Col. Shriji Tailors,
Opp. Railway Godown,
Anand. Dist. Kaira.
(Advocate - Mr. G.I. Desai)

.. Applicant

Versus

1. Union of India,
Through :
Member of Personnel
and Director General of Posts,
New Delhi.
2. Sr. Supdt. of Post Offices,
Anand Division,
Anand.

M.A. No. 267 of 1991

in

O.A. Stamp No. 283 of 91

O R A L - O R D E R

Dated : 19.8.1991

Per : Hon'ble Mr. M.M. Singh .. Member (A)

Heard Mr. G.I. Desai a learned counsel for the applicant and perused the record.

2. The above M.A. has been filed by the applicant for condonation of delay in filing the original application. The original application is against the order of dismissal from service dt. 31.3.1986. The O.A. Stamp No. 283/91 has been filed on 13.6.1991. The applicant had preferred appeal dt. 31.5.1986 to the Director Postal Service, which was rejected on 14.11.1986. He had preferred further appeal to the Member Personnel which was rejected on 29.1.1988. It is averred in the application that according to the Administrative Tribunals Act, 1985, application should have been filed within one year of the order

not
under challenge but has been filed and there is delay
of about 2½ years which is sought to be condoned.

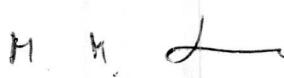
3. The grounds for condonation advanced are, that the applicant approached the lawyers, that he got disappointed in finding new job and work and his mind was confused, that his family was starving, that there was illness in family and that he made representations dt. 27.6.1988, 27.12.1989, 4.12.1990 and lastly 15.4.1991 by submitting applications to the department to consider his case and to reinstate him.

4. The applications to the department after the revision application has also been decided and in this case rejected, are not provided for in the rules. These applications will therefore amount to filing application on a subject on which statutory rules viz. C.C.S.(C.C.A.) Rules, 1965 in this case do not provide ~~that~~ for such ^{and went filing} applications, therefore do not enhance limitation. The grounds which are advanced for delay in approaching the Tribunal within time are not sufficient to persuade us to condone the delay.

5. In view of the above, the application is liable to be rejected. We hereby do so.

6. As the application for condonation is rejected, O.A. Stamp No. 283/91 also stands rejected.


(S. Santhana Krishnan)
Member(J)


(M M Singh)
Member(A)