

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
AHMEDABAD BENCH

M.A. No. 308 of 1991

with

O.A. No. 316 of 1991
TAX No.

DATE OF DECISION 21.02.1992

Bharatkumar B. Dave Petitioner

Mr. R.A. Vyas Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondent

Mr. B.R. Kyada Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. M.Y. Priolkar Member (P)

The Hon'ble Mr. R.C. Bhatt Member (F)

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?

Bharatkumar B. Dave,
'Jetukarna'
Ashapura Road,
Gondal.(Gujarat)
(Advocate-Mr. R.A. Vyas)

.. Applicant

Versus

1. Union of India,
Through :
General Manager, W. Rly.,
Churchgate,
Bombay-400 020.
2. Divisional Railway Manager,
Divisional Railway Office,
Kothi Compound,
Rajkot.
3. Station Superintendent,
Railway Station,
HARA.
(Advocate-Mr. B.R. Kyada)

.. Respondents

M.A. No. 308 of 1991

in

O.A. No. 316 of 1991

O R A L - J U D G M E N T

Date : 21.02.1992

Per : Hon'ble Mr. R.C. Bhatt .. Member (J)

Heard learned advocate Mr. R.A. Vyas for the applicant and Mr. B.R. Kyada for the respondents. This is an application filed by the applicant under section 19 of the Administrative Tribunals Act, 1985 for a direction to the respondents to follow the Railway Rules applicable to substitutes and to engage applicant according to seniority and turn and not to engage any juniors to the applicant over-looking turn and seniority of the applicant. It is mentioned in para 6(1) of the application

that the applicant was discontinued as substitute on 30th September, 1983. The present application has been filed on 6th July, 1991 i.e. about eight years after the impugned order. The applicant has filed MA/308/91 for condonation of delay. We are not satisfied with the averments made in the misc. application. Mr. Kyada, learned advocate for the respondents submitted that there is no reason less sufficient reason for condonation of delay. Hence the M.A. is rejected and O.A. also fails as it is barred by limitation. M.A/308/91 and O.A./316/91 are disposed of. The applicant may file another application if he so desires, if permissible according to law.


(R C Bhatt)
Member (J)


(M Y Priolkar)
Member (A)

*Mogera

Bharatkumar B. Dave,
'Jetukarna'
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(R C Bhatt)
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Member (A)

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