

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH

O.A. No. 314/1993  
T.AxxNo. with  
M.A.No. 292/1993

DATE OF DECISION 30th July, 1993.

Kum. Harsha V. Parmar, Petitioner

Mr. B.B. Gogia, Advocate for the Petitioner(s)

Versus

Union of India & Ors. Respondents

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C.Bhatt, Judicial Member.

The Hon'ble Mr. M.R.Kolhatkar, Admn. 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?

Kum. Harsha V. Parmar,  
Adult, Occu: Unemployed,  
Add: "Shashi Kunj"  
9, Alkapuri, Raiya Road,  
Near Hanuman Madhi,  
Rajkot.

..... Applicant.

(Advocate: Mr. B.B.Gogia)

Versus.

1. Union of India,  
Through its Secretary  
Postal Department,  
New Delhi.

2. Senior Superintendent of RMS,  
RJ Division,  
Rajkot.

..... Respondents.

O R D E R

O.A.No.314/1993

with

M.A.No.292/1993

Date: 30/7/1993

Per: Hon'ble Mr. R.C.Bhatt, Judicial Member.

Heard Mr. B.B.Gogia, learned advocate for the  
applicant.

2. This application is filed by the applicant  
against Postal Department seeking the relief that the  
respondents be directed to consider her case for  
appointment on regular basis, on the basis of she  
having been empanelled and selected in terms of  
Annexure A/1 and A/2 and the appointment order be  
released to her with all consequential benefits from  
the date other similarly situated persons or juniors  
to her are given such appointment order. This  
application is filed on 8th June, 1993.

*2*

3. The case of the applicant as pleaded in the application ~~was~~<sup>is</sup> that the applicant was provisionally selected as reserved pool for the concerned post and was allotted to the Rajkot Division as per order Ann.A-1 dated 11th May, 1983 and she was informed to attend the office with the original certificates which she had done at the relevant time. Thereafter, according to her, she was extended the appointment order as reserved trained pool candidate for sorting assistant vide Annexure A-2 dated 10th August, 1983. The applicant alleges that at the initial stage of her employment, she was utilised as RTP candidate for quite some time and has been not engaged or utilised since about 1983. The applicant does not have that grievances about her non-utilisation at this stage, but according to her, the persons junior to her on select list have been appointed on regular basis and that is done two to three years back and the applicant was kept in dark and was not informed as to why she is not appointed and others similarly situated or juniors to her on the select list are appointed. The applicant sent notice Annexure A-3 dated 18th January 1993 to respondent No.2 complaining about it and requested for justice, but no reply is given, hence this application.

*per*

4. The applicant has filed M.A. 292/93 for condonation of delay. It is alleged in the application that she is not informed as to whether her name removed from the waiting list or not, but the persons junior to

her have been given regular appointment order about two to three years back, she was not aware of any such dates or orders and there is ~~in~~ <sup>delay</sup> filing the application and the same be condoned.

5. The learned advocate for the applicant submitted that as per para-2 of the application, the applicant has not been engaged since about 1983 for which she has no grievance, but persons junior to her on select list have been appointed on regular basis and that is done two to three years back and the respondents have not given any information to the applicant when such persons junior to the applicant were appointed on regular basis.

6. We have heard the learned advocate for the applicant. It is important to note that though the applicant has no grievance about her non-engagement since about 1983, she has not furnished any details when the juniors were appointed, <sup>Only</sup> ~~merely~~ a bare statement in the application that the persons junior to her on select list, have been appointed on regular basis about two to three years back can not be accepted and ~~that~~ is hardly the sufficient cause to condone the delay in filing this application. We find no sufficient cause to condone the delay. The averments made in the application for condonation of delay that the persons junior to her have been given regular appointment <sup>very</sup> ~~basically~~ vague and the averments made in the

application that such persons junior to the applicant  
~~are two to three years back~~  
were appointed are also very vague averments. We ~~are~~

therefore, do not condone the delay in filing the  
application. M.A. 292/93 is dismissed. As the M.A.  
is dismissed, the O.A. 314/93 is also dismissed as  
barred by limitation.

M.R.Kolhatkar

(M.R.Kolhatkar)  
Member (A)

R.C.Bhatt

(R.C.Bhatt)  
Member (J)

vtc.

CENTRAL ADMINISTRATIVE TRIBUNAL  
AHMEDABAD BENCH  
AHMEDABAD.

Application No. CA/314/93 with MN/292/93 of 199

Transfer Application No. \_\_\_\_\_ Old writ Pet. No. \_\_\_\_\_

C E R T I F I C A T E

Certified that no further action is required to be taken  
and the case is fit for consignment to the Record Room (Decided).

Dated : 04/08/93

Countersigned :

*Shelar/11/93*  
Section Officer/Court Officer

*RSC.*  
Sign. of the Dealing Assistant.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
AT AHMEDABAD BENCH

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CAUSE TITLE 07/314/93. OF 19

NAMES OF THE PARTIES Kum. Hanzha V. Primay

## VERSUS

U. of T. & ORS.

PART A B & C