

**IN THE CENTRAL ADMINISTRATIVE TRIBUNAL**  
**AHMEDABAD BENCH**

O.A. No. /539/93  
T.A. No.

DATE OF DECISION 27/09/1993

Rana Rajendra L and G.P.Parmar Petitioner

Mr.V.B.Gharaniya Advocate for the Petitioner(s)

Versus

Union of India & others Respondent

Advocate for the Respondent(s)

CORAM :

The Hon'ble Mr. R.C.Bhatt

: Judicial Member

The Hon'ble Mr. M.R.Kolhatkar

: Administrative 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 ? ✗

Rana Rajendra L.  
G.P.Parmar,  
Out sider postmen,  
58/1, Anadd Flat,  
Bapunagar,  
Ahmedabad-24.

...APPLICANTS

Advocate : Mr.V.B.Gharaniya

VERSUS

1. General Post Master,  
General Post Office,  
Relief Road,  
Ahmedabad.
2. Senior Superintendent of Post,  
Ahmedabad City Division,  
G.P.O., Ahmedabad.
3. Post Master,  
Amraiwadi Post Office,  
Ahmedabad .

...RESPONDENTS

ORAL JUDGEMENT

O.A./539/93

Date: 27/09/1993

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

Mr.V.B.Gharaniya, learned advocate  
for the applicants. The two applicants have filed this  
application under section 19 of the Administrative Tribunals  
Act, seeking the reliefs as under :-

- (a) YOUR LORDSHIP be pleased to admit  
this O.A. Application and direct the  
respondents to reinstate the applicants  
from the date of oral termination with  
their continuity of service and all  
other full back wages and consequential  
benefits as a out sider post men till  
notice pending admission and final

disposal of this application, in the Amraiwadi Post Office.

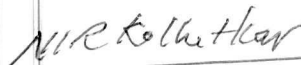
- (b) YOUR LORDSHIP be pleased to direct the respondent to decide the representations of the applicants within one month from the date of receipt.

2. The applicants have sought permission to file this application as a joint application as they have common cause of action. We permit them to file this application as a joint application.

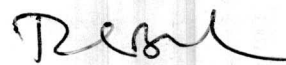
3. Reading the application, we find that the main hurdle in the way of the applicants is about limitation. The applicants have alleged that they have been orally terminated by the respondents. The applicant no.2. has given a statement of the period, during which he had worked with the respondents and it appears that he worked last in August, 1988. The details about the period upto which the applicant no.1. worked with respondents is not given. The applicants have alleged in the application that after they have been orally terminated in 1988, they regularly went to the office of the respondents to join their duties but the respondents did not allow them to join their duties. According to the applicants, they were daily wager as out & sider postman in Amraiwadi Post Office at Ahmedabad. The applicants have produced at Annexure A-1, dated 19th November, 1990 one letter but it does not bear signature of any of the applicants. However, learned advocate for the applicants submits that Annexure A-1 letter was an application cum representation given by applicant no.1. which was followed by another representation dated 29/3/1993 by applicant No.1. vide Annexure A. The applicants ought to have filed this application within 1 year from the date of which according to them they were orally terminated.

The representation Annexure A-1, even if considered is as late as 19/11/1990, while the second representation Annexure A is of 29/03/1993. These representations do not save limitation. Therefore, this application is clearly barred by limitation and is not maintainable.

4. Learned advocate for the applicants submits that the applicants may be allowed to file representation before the competent authority of the respondents within one month from today. They may file representations and the respondents may consider the same according to rules within 6 months from the receipt of the representation. However, this application is disposed of as not maintainable because <sup>in this</sup> barred by limitation.

  
( M.R. KOLHATKAR )  
Administrative Member

Date: 27/09/1993

  
( R.C. BHATT )  
Judicial Member

Date: 27/09/1993

SSH