

CENTRAL ADMINISTRATIVE TRIBUNAL  
ERNAKULAM BENCH

ORIGINAL APPLICATION NO.44/09  
DATED THE 5TH DAY OF AUGUST 2009.

## CORAM:

HON'BLE DR K B S RAJAN, JUDICIAL MEMBER  
HON'BLE MR. K GEORGE JOSEPH, ADMINISTRATIVE MEMBER

K N Raman.  
Chowkidar(removed from service),  
Vadakkakuttil House, Peechi Post,  
Thrissur District.

Kerala ... Applicant

By Advocate Mr P Ramakrishnan

V/s

- 1 The Assistant Meteorologist (Administration),  
Regional Meteorological Centre,  
College Road, Chennai.
- 2 The Director General of Meteorology,  
India Meteorological Department,  
Mausam Bhavan, New Delhi-110 003.
- 3 Union of India, represented by the  
Secretary, Department of Legal Meteorology,  
New Delhi. ... Respondents

By Advocate Mr TPM Ibrahim Khan SCGSC

This application having been heard on 5<sup>th</sup> August 2009 the Tribunal on the same day delivered the following :-

ORDER

HON'BLE Dr K B S RAJAN, JUDICIAL MEMBER

The applicant was removed from service by Annexure A-3 dated 29.7.1999 after the department has found him guilty of charges which have been proved beyond doubt. He has approached the Tribunal vide OA102/02 whereby the Appellate Authority's order was quashed and the matter was remitted back to the Appellate Authority for fresh consideration of the appeal as well as the



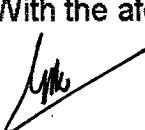
supplementary appeal which is to be filed by the applicant within the stipulated period. According to the applicant, the supplementary appeal was filed as early as in July 2004, but the department had so far not considered the same. The applicant has now approached this Tribunal alongwith a miscellaneous application for condonation of delay of 1106 days in filing this Original Application. Notice was issued to the respondents for filing their reply. According to the respondents, the applicant has not filed a supplementary appeal at all.

2 In response to this submission, counsel for applicant submitted that the applicant did file a supplementary appeal though he is not in a position to file any acknowledgement thereof. As regards the condonation of delay, as the applicant is out of service, and financial constraint has been the main cause of the delay in filing the application.

3 MA 56/09.— Taking into consideration the personal constraint stated as the main cause for delay in filing the original application, MA-56/09 is allowed.

4 As regards the main matter, we are of the considered opinion the respondents may now look into the Annexure A-4 and A-7 and keeping in view the decision of the Apex Court in the case of Ramchañdar V/s. Union of India (1986) 3 SCC 103 and Narinder Niphan Arya V/s. United India Insurance (2006) 4 SCC 712, the appeal be disposed of within a period of four months. The applicant shall cooperate by appearing before the Appellate Authority for personal hearing as and when it takes place.

5 With the aforesaid direction, the OA is disposed of.

  
K. GEORGE JOSEPH  
ADMINISTRATIVE MEMBER  
abp

  
K. B. S. RAJAN  
JUDICIAL MEMBER