

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 441 of 1995

Friday, this the 19th day of January, 1996

CORAM:

HON'BLE MR JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN
HON'BLE MR PV VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

1. KK Purushothaman Nair,
Postal Assistant,
Palai Head Post Office, Palai.
2. V.I. James,
Postal Assistant,
Poonjar Thekkakara Post Office,
Poonjar.
3. KC Thomas,
Postal Assistant,
Melukavumattom Post Office,
Melukavumattom.

.. Applicants

Vs.

1. The Senior Superintendent of Post Offices,
Kottayam.
2. The Director of Postal Services,
Central Region, Ernakulam,
Cochin.
3. The Chief Postmaster General,
Kerala Circle, Trivandrum.
4. The Director General of Posts,
Dak Bhavan, New Delhi.

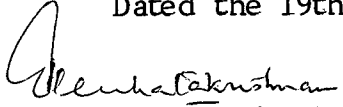
... Respondents


O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Neither applicants nor their counsel and for that matter
neither the Standing Counsel is present. Application is
dismissed. No costs.

Dated the 19th January, 1996.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

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Melukavumattom.

.. Applicants

(By Advocate Shri T.H. Chacko)

Vs.

1. The Senior Superintendent of
Post Office, Kottayam.
2. The Director of Postal Services,
Central Region, Ernakulam,
Cochin.
3. The Chief Postmaster General,
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4. The Director General of Posts,
Dak Bhavan, New Delhi.

.. Respondents

(By Advocate Shri S. Radhakrishnan, ACGSC)

The application having been heard on 17th July, 1996
the Tribunal on the same day delivered the following:

O R D E R


CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicants three in number, seek a declaration
that they are entitled to be promoted as Postal Assistants
with effect from 1.9.1984. Consequential reliefs are also
sought.

2. Applicants asserted their claims for the first time only in 1994. The inspiration for advancing such claims, was an order of this Tribunal in O.A. 1853/92 granting such benefits to some other employees. The gain of some, cannot constitute a cause of action for some others. That is the law declared by the Supreme Court in Bhoop Singh Vs. Union of India and others (AIR 1992 SC 1414). The Supreme Court has repeatedly cautioned against grant of belated claims draining large sums from public revenue. [Secretary to Government of India and others Vs. Shivram Mahadu Gaikwad (1995 SCC L&S 1148), State of Maharashtra Vs. Digambar (1995 4 SCC 683) and State of Orissa Vs. Dhobei Sethi and another (1995 5 SCC 583)]. Long delay extinguishes not only remedies, but rights also. Following these decisions we find no justification for reviving long lost causes making an impact on public funds.

3. Application is dismissed but without costs.

Wednesday this the 17th day of July 1996.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

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