

CENTRAM ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A.464/94

Friday this the 25th day of March, 1994.

CORAM:

HON'BLE MR.JUSTICE CHETTUR SANKARAN NAIR, VICE CHAIRMAN

HON'BLE MR.P.V.VENKATAKRISHNAN, ADMINISTRATIVE MEMBER

M.Ramakrishnan, S/o. Chathukutty, Aged 33 years,
Malayathodi, Adivaram P.O.
Puthupadi (Via),
Kozhikode.

By Advocate Mr.M.R.Rajendran Nair

vs.

1. The Senior Superintendent of Post Offices,
Calicut Division, Calicut.
2. The Assistant Superintendent of Post Offices,
Calicut South Sub Division, Calicut.
3. Union of India, represented by Secretary to
Government, Ministry of Communications, New Delhi.
.. Respondents

By Advocate Mr.Mathews J.Nedumpara

ORDER

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

Applicant challenges Annexure.A2 order dismissing
an appeal from an order imposing a punishment on him. The
order merely states:

"the appeal...is time barred and hence
rejected."

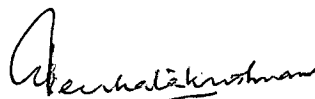
The first paragraph of the appeal states that applicant who
was out of job was looking for livelihood in Bombay when
the order of the disciplinary authority was delivered to
his wife.

2. The Highest Court in the country has counselled a humane approach where delay is concerned. The authority below did not even have the charity to address itself to the question of delay and decide whether it was to be condoned or rejected. We strongly disapprove the exercise of judicial or quasi judicial function in a cavalier manner. Sensitivity and compassion are great virtues of the judicial process.

3. We quash the order under reference, direct the appellate authority to take the appeal on file, consider the question of condonation and thereafter pass appropriate orders in the matter.

4. Application is allowed. Parties will suffer their costs.

Dated 25th March, 1994.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR (J)
VICE CHAIRMAN

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