

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No. 496 of 1996

Friday, this the 26th day of April, 1996

CORAM

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

C. Balakrishnan,
S/o Thupran,
Retired as Senior Goods Clerk,
Southern Railway,
Veerarakyam Railway Station,
Tamil Nadu, now residing at
VIII/1400 A, T.D. East Road,
Cochin-2

.. Applicant

(Party-in-Person)

Versus

1. Divisional Railway Personnel Officer,
Southern Railway, Palakkad.
 2. Senior Divisional Commercial Manager,
Southern Railway, Palakkad.
 3. Union of India represented by the
Secretary to the Government,
Ministry of Railways, New Delhi.
- .. Respondents

By Advocate Mrs. Preethy for Mrs. Sumathi Dandapani

The application having been heard on 26th April, 1996, the
Tribunal on the same day delivered the following:


O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN:

In view of our orders in MA No. 367/96, the Original
Application is dismissed. Parties will suffer their costs.

Dated the 26th April, 1996


PV VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

ak/26.4

**CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH**

FRIDAY THE 26TH DAY OF APRIL, 1996

P R E S E N T

**Hon'ble Mr. Justice Chettur Senkeran Nair .. Vice Chairman
and**

Hon'ble Mr. P.V.Venketakrishnan .. Administrative Member

MA-367/96 IN ORIGINAL APPLICATION NO. 496/96

C. Balakrishnan	: Applicant (s)x
Versus	
Divl. Railway Personnel Officer, S.Rly., Palghat & 2 others	: Respondent (s)
C. Balakrishnan (Party in person)	: Counsel for applicant (s)
Mrs. Preethy	: Counsel for respondent (s)

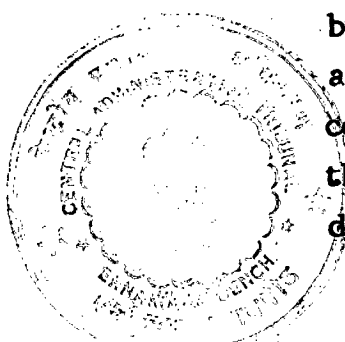
O R D E R

MA 367/96 to condone delay:

By this application filed on 26.3.96, applicant seeks promotion from 1-1-1984. He submits that he had made a representation for the benefits sought herein on 12.12.91, more than 7 years after the alleged claim arose. The present application itself is 1018 days beyond the time prescribed for filing an application.

2. When the application came up we asked the applicant who appeared in person, whether he needed the assistance of a Counsel under the Legal Aid Scheme and he submitted that it was not necessary.

3. Consideration of belated claims can unsettle settled positions. The interest of applicant - official, is not the only consideration upon which, issues have to be decided. Overall considerations of administration, interests of those in position, broader principles like the 'Sit Back Rule' and so on must be borne in mind, while considering such claims. As pointed out by the Supreme Court in a long catena of decisions, including A. Hamsaveni & Ors Vs.



Contd. P-2

State of Tamil Nadu & Anr. (1994 [6] SCC 51)
and Govt. of India & Ors Vs. Shivram Mahadu
Galkwad (1995 SCC [L&S] 1148), entertaining
belated claims and unsettling settled state of
affairs, is not justified.

4. The application is barred by
limitation. No grounds, much less no good
grounds are made out to condone the delay.
We dismiss MA 367/96.

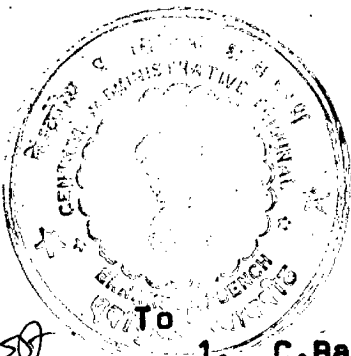
OA 496/96:

Heard. Orders pronounced in open
Court.

Sd/-
P.V.Venkatakrisnan
Administrative Member.

Sd/-
Chettur Sankaran Nair (J)
Vice Chairman

26.4.96



CERTIFIED TRUE COPY
Date 31-5-96

Deputy Registrar

Handwritten signature and initials.

- By post
1. C.Balakrishnan (applicant), VIII/1400 A, T.D. East Road, Cochin-2.
 2. Mrs. Sumathi Dandapani, counsel for Respondents.

DEPOSITED ON 31/5
By