

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM

O. A. No. 519/90
~~XXXXXX~~

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DATE OF DECISION 12.7.90

KUNJUKUNJU

Applicant (s)

M/s K.Ramakumar, VR
Ramachandran Nair
Versus

Advocate for the Applicant (s)

Secy. Ministry of Comm.
and others

Respondent (s)

Mr.K.A.Churian, ACGSC

Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. S.P.Mukerji, Vice Chairman

The Hon'ble Mr. N.Dharmadan, Judicial 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. To be circulated to all Benches of the Tribunal? ☒

JUDGEMENT

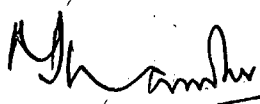
(Hon'ble Shri S.P.Mukerji, Vice Chairman)

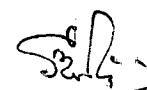
We have heard the arguments of the learned counsel for both the parties in this application in which the applicant was removed from service by the impugned order dated 12.4.89. He had filed an appeal before the competent authority on 24.6.89 and the appellate authority by the impugned order dated 15.7.89 summarily rejected the appeal on the sole ground that the same had been filed after the lapse of 45 days and ^{was} time barred.

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2. Having gone through the documents and keeping the aspects of circumstances in view especially the averments that the applicant has been suffering from a number of physical infirmities and ^{was} ~~mentally~~ ^{mentally} upset, in the interest of justice we feel that the applicant's appeal should ^{have} ~~receive~~ due attention and consideration by the competent authority.

3. In the circumstances we allow this application to the extent of setting aside the appellate order at Annexure-F and direct that the Appellate Authority should condone the delay and consider and dispose of the applicant's appeal dated 24-6-89 at Annexure-E in accordance with law. We also direct that the Appellate Authority should give a personal hearing to the applicant. There will be no order as to costs.


(N. Dharmadan) 12.7.90
Judicial Member


12.7.90
(S. P. Mukerji)
Vice Chairman

12.7.90

Ksn.