

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No. 569
I. A. No.

1991

DATE OF DECISION 5.8.91

P I Viswanathan Applicant (s)

Mr. M R Rajendran Nair Advocate for the Applicant (s)

Versus-

Chief General Manager, Respondent (s)
Telecommunications, Trivandrum and others

Mr. N N Sugunapalan, SCGSC Advocate for the Respondent (s)

CORAM:

The Hon'ble Mr. N. V. KRISHNAN, ADMINISTRATIVE MEMBER

The Hon'ble Mr. N. DHARMADAYAN, JUDICIAL MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. To be circulated to all Benches of the Tribunal? No

JUDGEMENT

MR. N. V. KRISHNAN, ADMINISTRATIVE MEMBER

Heard learned counsel for both parties on admission.

In the view that we are taking in this case we proceed to dispose of the application without waiting for the counter affidavit by the respondents.

2. It is admitted in para 3 and 4 of the application itself that though some of his colleagues approached the High Court and got a judgment (Annexure-III) in their favour, the applicant did not proceed in the matter in time and he ultimately filed O.P. 4740/80 before the High Court which admittedly was dismissed as belated.

3. He has made a representation dated 5.12.90 to the first respondent but even in this application he did not specifically seek the benefit of the Annexure-III judgment rendered in favour of his colleagues. That representation has since been disposed of by Annexure R-1 letter dated 27th May, 1991. ^{under these circumstances} We are of the view that as the applicant has already exhausted remedy by approaching the High Court, this Application does not lie. We ^{to dismiss} therefore ~~close~~ this application. However, if the applicant ^{is} ~~is~~ so advised, he may file a fresh representation to the authorities concerned seeking support from the Annexure-III judgment also.

4. The application is disposed of as above. There will be no order as to costs.


(N. DHARMADAN)
JUDICIAL MEMBER


(N. V. KRISHNAN)
ADMINISTRATIVE MEMBER

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