

CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

O.A. 578/95

Wednesday, this the 31st day of May, 1995.

C O R A M

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

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

Sherly Davis,  
Aged 58 years,  
Chief Section Supervisor,  
Central Telegraph Office,  
Ernakulam.

.... Applicant

By Advocate Mr.MR Rajendran Nair

Vs.

1. The Chief General Manager,  
Telecom, Kerala Circle,  
Trivandrum - 33.
2. The Chairman, Telecom Commission,  
Sanchar Bhawan, New Delhi.
3. Union of India represented by  
Secretary to Government,  
Ministry of Communications,  
New Delhi.

.... Respondents.

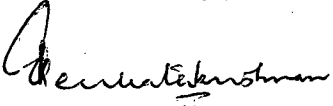
By Advocate Mr.PR Ramachandra Menon.

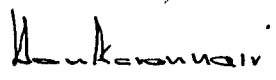
O R D E R

CHETTUR SANKARAN NAIR(J), VICE CHAIRMAN

Applicant seeks a declaration that she is entitled to count her service as non-departmental telegraphist, for purposes of increment and pension. Standing counsel appearing for respondents would submit that the claim cannot be considered, as the bar of limitation stands in the way of applicant in the light of the decision in S.S.Rathore Vs. State of Madhya Pradesh, AIR 1990 SC 10. Notwithstanding that, applicant's counsel would submit that the third respondent is bound to consider A-9 representation. We direct third respondent to consider A-9 on its merits, and pass a speaking order thereon within ten weeks from today. We make it clear that we have not expressed any opinion on the merits and also that this direction by itself will not confer a cause of action on applicant.

Dated the 31st May, 1995.

  
P.V.VENKATAKRISHNAN  
ADMINISTRATIVE MEMBER

  
CHETTUR SANKARAN NAIR (J)  
VICE CHAIRMAN