

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A. No. 64 of 1992

Monday this the 3rd day of January, 1994

CORAM

The Hon'ble Mr. Justice Chettur Sankaran Nair, Vice Chairman
The Hon'ble Mr. P. V. Venkatakrishnan, Administrative Member

K. K. Thomas, Electrician-Cum-
Pump Operator (Casual), under
J.T.O. Central Telegraph Office,
Palghat. Applicant

(By Advocate Mr. K. Ramakumar)
(Not present)

Vs.

1. The Union of India represented by the Secretary, Ministry of Telecommunications, New Delhi.
2. The Chief General Manager, Telecommunications, Kerala Circle, Trivandrum.
3. The Director of Telecom (North) Trichur. Respondents

(By Advocate Mr. K. S. Bahuleyan/rep. T. M. Ibrahim Khan)

ORDER

CHETTUR SANKARAN NAIR (J), VICE CHAIRMAN.

Applicant, working as a casual Electrician-cum-Pump Operator seeks appropriate directions to command respondents to regularise his services with effect from the date on which his juniors were regularised in the post of Wireman. He cites the case of one Shri Sasikumar, to contend that persons similarly situated have been regularised.

2. In answer respondents would submit that Shri Sasikumar belongs to another Unit and that the case of Shri Sasikumar is not analogous. It is further averred in the reply statement:

"The Tribunal has no jurisdiction to entertain this application..... Annexures A and B representations are on 6.7.89 and 5.3.90 and therefore, the Original Application is barred by law of limitation."

3. It is not stated why or for what reason, the Tribunal lacks jurisdiction. Such cursory pleadings should not have been raised.

It is then said, that representations were made by applicant on 6.7.89 and 5.3.90 and that counting limitation from these dates, the application is belated. The representations were not answered. After failing to answer the representations, respondents have built up an argument based on their inaction. Such pleas cannot be countenanced. It is unfortunate that responsible public officials should take such stands.

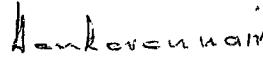
4. We think that the 2nd respondent who should have taken a decision on Annexures A and B and who has failed to do so, must be directed to take a decision on Annexures A and B. He will do so without fail within three months from today, and communicate the decision to applicant.

5. Application is disposed of as aforesaid. No costs.

Dated the 3rd January, 1994.



P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER



CHETTUR SANKARAN NAIR(J)
VICE CHAIRMAN

njj/4.1.