

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

OA No.92/2001

Thursday this the 25th day of January, 2001.

CORAM

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER
HON'BLE MR. G.RAMAKRISHNAN, ADMINISTRATIVE MEMBER

1. K.S.Gopan
S/o Somanathan Nair
2. K.Radhakrishnan
S/o P.Ittiry Nair
3. Jacob Samuel
S/o K.C.Samuel
4. N.Manoj
S/o O.S.Neelakanda Pillai

...Applicants.

(All are Clerks/Typists in the Office of
the Accountant General (A&E), Kerala
Thiruvananthapuram)

(By advocate Mr.M.R.Rajendran Nair)

Versus

1. Union of India represented by the
Secretary to the Government of India
Ministry of Personnel & Training,
New Delhi.
2. The Comptroller & Auditor General of India
No.10 Bahadurshah Zafar Marg
New Delhi.
3. The Accountant & Auditor General (A&E)
Kerala, Thiruvananthapuram.
...Respondents.

(By advocate Mr.Govind K.Bharathan, SCGSC)

The application having been heard on 25th January, 2001,
the Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.M.SIVADAS, JUDICIAL MEMBER

Applicants seek to declare that 3% vacancies in the
Accountant cadre are liable to be reserved for physically
handicapped persons and to direct respondents to reserve
the vacancies retrospectively from 1989 and to make appointment
by promotion to reserved vacancies by considering the candidature
of applicants and in the alternative to direct the 2nd
respondent to consider and pass appropriate orders on A6
representations within a stipulated time.

2. A1 is the order in response to the representation submitted by the applicants. A1 is dated 14.7.98. As per the same the request of the applicants has been turned down. This Original Application was filed on 10.1.2001. A1 is not under challenge. From a reading of the OA, it is seen that this OA is time barred.

3. As far as the alternative relief is concerned, A6 representation is dated 11th December, 2000. The applicants should have waited for a reasonable period i.e. 6 months. As A6 is dated 11th December, 2000 and this Original Application was filed on 10th January, 2001, the alternative prayer is premature.

4. Accordingly we do not find any ground to admit the Original Application and the same is dismissed.

Dated 25th January, 2001.



G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER



A. M. SIVADAS
JUDICIAL MEMBER

aa.

Annexures referred to in this order:

A6: True copy of the representation submitted by 1st applicant to the 2nd respondent.

A1: True copy of the order No. Admn V/14-366/x/290 dated 14.7.98 issued by the senior Accounts Officer for the 3rd respondent by which claim for quota in promotion is rejected.