CENTRAL ADMINISTRATIVE TRIBUNAL

ERNAKULAM BENCH

M.A. 175/2000 in O.A. 127/2000.

and O.A.127/2000

Monday this the 14th day of February 2000.

CORAM:

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

HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

T.V. Ittoop,
Highly Skilled Mechanic (Retired),
Thengungal House, Pullanicad,
Wadakkancherry Railway Station P.O.,
Thrissur District.   Applicant
(By Advocate Shri D. Sreekumar.)

Vs.

1.   The Union of India, represented
      by the Secretary, Ministry of
      Railways , Central Secretariat,
      New Delhi.

2.   The General Manager, Southern
      Railway, Chennai.

3.   The Divisional Railway Manager,
      Southern Railway,
      Thiruvananthapuram Division,
      Thiruvananthapuram.

4.   The Chief Personnel Manager,
      Southern Railway,
      Thiruvananthapuram Division,
      Thiruvananthapuram.

5.   The Executive Engineer (Doubling),
      Southern Railway, Kollam.
(By Advocate Shri Mathews J. Nedumpara)

The application having been heard on 14th February 2000

the Tribunal on the same day delivered the following:

                    O R D E R

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

        This Miscellaneous Application is to condone the

delay of 679 days in preferring the Original Application.

                                        ...2/-

2.   The grounds stated are: (1) the applicant is illiterate and (2) the applicant is poor.   Poverty and illiteracy are no grounds for condoning the delay.
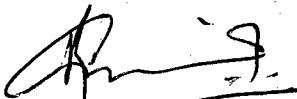
3.   In the M.A. it is stated that "As a matter of fact the O.A. ought to have filed on 10.10.1998, but it could file the O.A. only today i.e. 19.11.1999". Thus the O.A. was not filed on 19.11.99 but only on 18.1.2000. The statement made in the M.A. is factually incorrect.

4.   The Tribunals and Courts have no power to extend the period of limitation on equitable grounds. So also the Tribunal cannot confer benediction impelled by sympathetic considerations.
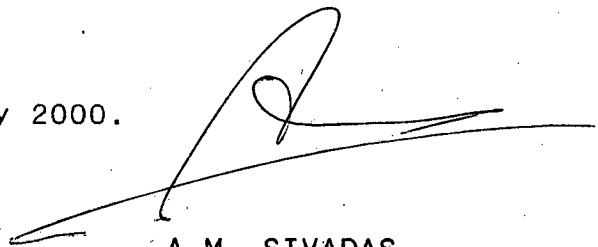
5.   M.A. is accordingly dismissed.

6.   Since M.A.   for condonation of delay is dismissed this O.A. is also dismissed.

Dated the 14th February 2000.

G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER

A.M. SIVADAS
JUDICIAL MEMBER

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