

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

MA.123/97 &
O.A.No.143 of 1997

Tuesday this the 28th day of January, 1997.

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

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

P. Venugopalan,
Accounts Officer, Telecom,
Office of the General Manager,
Telecom, Calicut now residing at
Sreevalsam, PO.Chervuvayoor,
Calicut.17.

.... Applicant

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

Vs.

1. General Manager, Telecom,
Calicut.
2. Member (Finance), Telecom Commission
Sanchar Bhavan, New Delhi.
3. Union of India, represented by
Secretary to Government of India,
Ministry of Communications, N.Delhi. .. Respondents

(By Advocate Mr. K.S.Bahuleyan for Shri TPM Ibrahim Khan)

The application having been heard on 28.1.1997, the
Tribunal on the same day delivered the following:

ORDER

A.V. HARIDASAN, VICE CHAIRMAN

The Original Application is directed against
an order passed on 5.5.1995^{and} said to have been communicated
to the applicant in July, 1995. The application has been
filed beyond the period of limitation. Therefore, the
applicant has filed M.A.123/97 for condonation of delay.

2. We have perused the M.A. as also the Original
Application. There is no proper explanation for the delay,

contd....

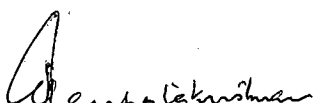


That the applicant was busy with the affairs of the marriage of his daughter or that he had to consult the lawyer more than once do not appeal to us as valid grounds for condonation of delay. The M.A. therefore has no merit.

3. Though there is no ground for condonation of delay, we have also perused the application and found that it does not have any merit at all. The grievance of the applicant is that he was not promoted while his juniors were promoted. It is made clear in the impugned order that he was not promoted while his juniors were promoted because the duly constituted D.P.C. found him unfit for promotion while his juniors were promoted. No allegation of malafides against the D.P.C. has been made. Therefore on merits also the applicant has no case.

4. We therefore reject the M.A. and the Original Application. No costs.

Dated the 28th day of January, 1997.


P.V. VENKATAKRISHNAN
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

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