

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Dated Monday the fourth day of September, one thousand
nine hundred and eighty nine

PRESENT

Hon'ble Shri S.P. Mukerji, Vice Chairman
&
Hon'ble Shri A.V. Haridasan, Judicial Member

ORIGINAL APPLICATION No. 282/89

The Divisional Personnel
Officer S. Railway Madurai & others .. Applicants.

Vs.

M. Karthiyayani W/o Deceased
Casual Labour Gangman & others .. Respondents

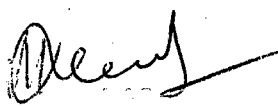
Counsel for the applicants .. Mr. P.A. Mohammed.
Counsel for the respondents .. Mr. M. Ramachandran

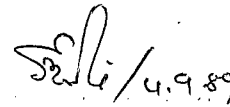
O R D E R

(Shri S.P. Mukerji, Vice Chairman)

In this application filed under Section 19
of the Administrative Tribunals Act, the Railway autho-
rities have challenged the order of the Labour Court
dated 31.1.1986 by which that Court allowed family
pension and other retirement benefits to the widow
of the deceased Railway employee. This application
has been filed on 12.5.1986 ^{after Labour Court's order.} after a lapse of 1195 days.
The period of limitation is one year. The learned
counsel for the applicants Shri P.A. Mohammed, indicated
that immediately after the rendition of the judgment
by the Labour Court the Railway authorities had applied
for the copy of the judgment but were ^{informed in writing} told on 24.3.86
by the office of the Labour Court that the copy could
not be provided as the Copyist's post was lying vacant.
The second application for copy of the judgment was filed
by the Railway authorities ^{only} on 19.8.88 and the copy was

received by them on 29.10.1988. On the other hand the learned counsel for the respondents states that the respondents got the copy of the judgment in January, 1987. It is clear from the above narration of facts that the Railway authorities did not take any action to obtain the copy of the judgment between 24.3.86 and 19.8.88, during which period the respondents got the copy. This is nothing but an indication of grave laches on the part of the Railway authorities. In the circumstances we see no reason to condone the delay and dismiss the M.P. as also the main application on ground of ~~for~~ limitation.


(A.V. Haridasan)
Judicial Member


(S.P. Mukerji)
Vice Chairman

4.9.89

Sn.