

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O. A. No.
~~XXXXXX~~

354/92 ~~xx~~¹⁹⁹

DATE OF DECISION 23-04-92

K. Komaleswaran

Applicant (s)

Mr. KRB Kaimal ~~through proxy~~ Advocate for the Applicant (s)

Versus

General Manager, Southern Railway and others Respondent (s)

Mr. M.C Cherian through proxy Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. S.P. Mukerji - Vice Chairman

The Hon'ble Mr. N.Dharmadan - Judicial Member

1. Whether Reporters of local papers may be allowed to see the Judgement? Yes
2. To be referred to the Reporter or not? No
3. Whether their Lordships wish to see the fair copy of the Judgement? No
4. To be circulated to all Benches of the Tribunal? No

JUDGEMENT

(Hon'ble Shri N.Dharmadan, Judicial Member)

The applicant who has worked as Cleaner in the Vegetarian Restaurant in the Coimbatore Railway from 1977 to 1980 filed this application for ^a direction to the respondents to give him appointment as Mazdoor Cleaner or Bearer in the Catering Service of the Railways.

2. According to the applicant he was laid up due to jauntice ⁱⁿ somewhere in 1982 after his original engagement by the Railways. Thereafter he repeatedly represented before the respondents for getting re-employment. He produced Annexure-I representation which is dated 23.12.87. He filed Annexure-II representation on 6.7.90. According to him in spite of repeated representations he was not given any

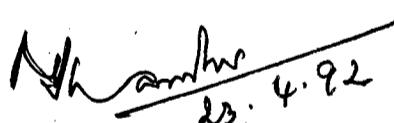
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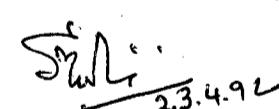
employment nor was he given any communication by the respondents.

3. He has also filed an application M.P.392/92 for condonation of delay in filing this O.A.

4. When the matter came up for admission today the learned counsel for respondents, who received a copy of the application and application for condonation of delay opposed to the admission vehemently stating that the applicant has abandoned the job from 1982 and he is not entitled to any reemployment as claimed in the application.

5. In the view that we are taking in this case it is not necessary for us to wait for a reply from the respondents. The applicant has not given any satisfactory reason for the long delay in filing the application. He was depending on repeated representations. Since the delay in this case has not been properly explained by the applicant, the application for condonation of delay is liable to be dismissed. Accordingly we dismiss the M.P.392/92 for condonation of delay. The O.A. is also dismissed.


23.4.92
(N.D.HARMADAN)
JUDICIAL MEMBER


23.4.92
(S.P. MUKERJI)
VICE CHAIRMAN

23-04-92

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