

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

DATED TUESDAY, THE EIGHTH DAY OF AUGUST 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.368/89

J.Isaac

Applicant

v.

1. Central Provident Fund
Commissioner, 9th Floor,
Mayur Bhavan, Cannaught Circus,
New Delhi-110 001.

2. Regional Provident Fund
Commissioner, Pattom Palace,
Trivandrum-695 004. - Respondents

M/s Mathews P Mathews, - Counsel of the
K.P.Vijayan & V.B.Jinnah applicant

Mr PV Madhavan Nambiar, SCGSC - Counsel of the
respondents

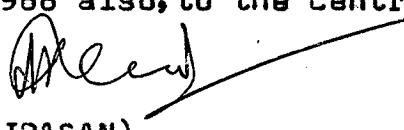
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(SHRI S.P.MUKERJI, VICE CHAIRMAN)

In this application, the applicant has sought some reliefs, the representation about which had been rejected by the respondents in January 1988. Reckoned from that date, this application dated 17.6.1989, seems to be time-barred. The learned counsel for the applicant, however, indicated that his grievances were taken up by the Employees Provident Fund Staff Union on 28.10.1988 and the same is still pending. Shri P.V.Madhavan Nambiar, SCGSC for the

respondents indicated that the matter taken up by the said Union was related to the grievances of the applicant only. Accordingly, it was justifiable on the part of the applicant, to have waited for the outcome of that representation. In that light, this application is not time-barred and if there has been any delay, the same deserves to be condoned. We condone the delay accordingly.

2. The learned counsel for the applicant states that the applicant is superannuating during this year and the matter needs urgent attention. The learned counsel for the respondents has fairly assured that the Central Provident Fund Commissioner would consider the representation of the Employees Union dated 28.10.1988 expeditiously. In that light we close this application with the direction to the respondents to consider the representation dated 28.10.1988 and give a decision thereon within a period of four months from today. The applicant is at liberty to approach the appropriate legal forum, if so advised and in accordance with law, in case he feels aggrieved by the outcome of the said representation. It is also made clear that the fact of superannuation of the applicant will not be in any way prejudice his claim as prayed for in this application. The applicant is directed to serve a copy of his petition dated 28.10.1988 also, to the Central Provident Fund Commissioner.


(AV HARIDASAN)
JUDICIAL MEMBER


(SP. MUKERJI)
VICE CHAIRMAN

8-8-1989

trs