

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Original Application No. 387 of 2011
&
Miscellaneous Application No. 1232 of 2012 in
Original Application No. 387 of 2011

Thursday, this the 21st day of March, 2013

CORAM:

Hon'ble Mr. Justice P.R. Raman, Judicial Member
Hon'ble Mr. K. George Joseph, Administrative Member

M. Lexmanan, Private Secretary to Divisional Railway Manager,
 Palakkad Division, now residing at Railway Quarters No. 206 D,
 Hemambika Nagar, Palakkad, Kerala.

Applicant

(By Advocate – Mr. C.S. Manilal)

V e r s u s

1. The Union of India, Ministry of Railway,
 Represented by the General Manager,
 Southern Railway, Park Town, Chennai-3.
2. The Divisional Railway Manager,
 Palakkad Division, Palakkad-13.
3. The Chief Personnel Officer,
 Southern Railway, Chennai-3.

Respondents

(By Advocate – Mr. Thomas Mathew Nellimoottil)

This application having been heard on 21.03.2012, the Tribunal on the same day delivered the following:

O R D E R

By Hon'ble Mr. Justice P.R. Raman, Judicial Member-

Miscellaneous Application No. 1232 of 2012 has been filed for condonation of delay for more than six years in filing the present Original Application. According to the applicant he was entitled to be considered for

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promotion to the SC roster point, the moment one Wesley Rajabhooshan was deleted from the list in 2005. The statement of facts contained in the Miscellaneous Application further states that he came to know of the reason for his deletion only very late and the reasons were suppressed by the respondents. It is not the case of the applicant that he came to know of the deletion only subsequently. In fact when he is aware of the deletion he could not have waited for the reason to be made known, because his right if any as claimed by him to be considered arises on deletion of the appointed candidate and not from the date from which he was made known of the reason for deletion of Wesley Rajabhooshan. This being the only reason for condonation of delay, we cannot accept the same. Accordingly, the MA for condonation of delay is dismissed. Consequently, the Original Application is also dismissed. No costs.



(K. GEORGE JOSEPH)
ADMINISTRATIVE MEMBER



(JUSTICE P.R. RAMAN)
JUDICIAL MEMBER

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