

**CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Original Application No.210/2010

This the 11th day of May 2010

HON'BLE DR. A.K. MISHRA, MEMBER (A).

Ramesh Kumar Yadav, aged about 28 years, son of Late Jagan Nath Yadav, resident of village Poorey Manohar (Besarwa) Post Pakar Gaon, Block Tiloi, District Rae Bareli.

...Applicant.

By Advocate: Shri M. Ali.

Versus.

1. Union of India through, the Secretary of Geological Survey of India, New Delhi.
2. Director of Geological Survey of India, Northern Region, Center (E) Aliganj, Lucknow.

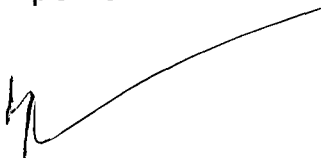
... Respondents.

By Advocate: Shri Vishal Choudhary.

ORDER (Oral)

BY HON'BLE DR. A.K. MISHRA, MEMBER (A).

The learned counsel for respondents raised preliminary objections on the ground of limitation. The impugned orders were passed on 17.12.2007. According to the learned counsel for the applicant, immediately thereafter, a review petition was filed before Respondent No.2 for reconsideration of the rejection order in respect of his prayer for compassionate appointment. When no orders were passed, he filed another review petition on 6.12.2008. When there was no response, he filed a Legal notice dated 21.12.2009. Besides, he submitted that applicant is a poor person and there was delay of 16 months.



2. Learned counsel for respondents submits that there is no proof about the receipt of the so called review applications. If once receipt of these representations are denied. ~~In any case,~~ ^{by} the delay involved is about 16 months if the ground of filing of review application is denied. I find that an application for condonation of delay has been filed and in the accompanying affidavit, it is stated that due to poverty and ignorance of legal provisions the applicant could not file the application on time. I consider it as a justifiable ground in the interest of justice. The delay is condoned.

3. The learned counsel for applicant submits that his grievance will be redressed incase Respondent No.2 is directed to consider his pending representation on merits and decide the issue in accordance with rules/Government instructions. Since the respondents have denied of having received the representations, the applicant is directed to file a fresh comprehensive representation before Respondent No.2. He may give a copy of this OA along with its enclosures by way of an additional representation. The Respondent No.2 is directed to dispose of the representation/additional representation of the applicant within a period of three months from the date of receipt of such representation/additional representation according to rules/ Government instructions.

4. The OA is disposed of as above. No order as to costs.


(DR. A.K. MISHRA)
MEMBER (A)