

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW BOMBAY BENCH, NEW BOMBAY 400 614
CAMP : NAGPUR

2

OA.NO. 565/89

Shri M.S.Malichkar,
Ingole House,
Near S.T.Depot,
Ranade plots, Ramnagar,
Wardha.

... Applicant

V/S.

1. Union of India through
Member (Personnel)
Department of Post,
Dak Tar Bhavan, New Delhi.

2. Post Master General,
Maharashtra Circle, G.P.O.Bldg.
Fort, Bombay.

... Respondents

CORAM: Hon'ble Member (J) Shri A.P.Bhattacharya
Hon'ble Member (A) Shri P.S.Chaudhuri

Appearances

Mr.M.M.Sudame
Advocate
for the Applicant

ORAL JUDGMENT

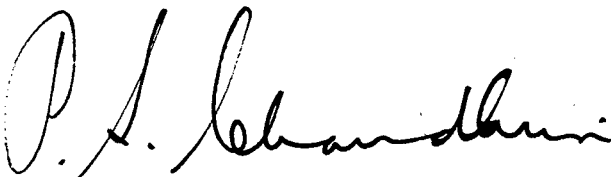
Dated: 15.1.1990

(PER: A.P.Bhattacharya, Member (J))

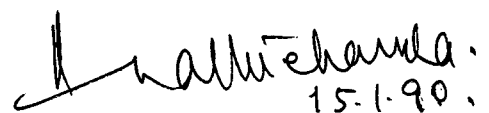
Mr.M.M.Sudame, learned advocate appears for the applicant moves the application for admission. We find none appearing for the respondents.

2. In this application, under Section 19 of the Administrative Tribunals Act 1985, the applicant prays for his promotion to LSG w.e.f. 1.6.1974. He also prays for notional fixation of his pay w.e.f. that date. From Annexure A-IX to the application we find that he was given a final reply with regard to the redressal of his such grievances on 20.12.1985. Annexure XV to the application shows further that on 27.3.1987 he was intimated that his seniority position and his pay was fixed in accordance with the rules. That letter was given on behalf of the Post Master

General, Bombay. Being aggrieved by that, what we get from Annexure XX^{is} that the applicant preferred an appeal about a year after i.e. 27.6.1988. He sent a reminder on 15.2.1989. It is clear from the aforesaid that the applicant was not at all diligent to pursue the redressal of his grievances. It is contended on his behalf that being equally circumstanced another employee has been granted such benefit by this Tribunal in T.A. 8/86. But all what we find is that the applicant had not filed the instant application even within a reasonable time after the passing of that judgment. The present application was filed as late as on 17.8.1989. When the final reply to his grievances was given on 20.12.1985, we hold that the present application should have been filed within a year ^{from} ~~after~~ ^{date} that. At para 3 of the application the applicant has tried to explain the reasons for the delay in submitting the application which, according to us, are far from satisfactory. So considering all we hold that this application cannot be entertained as it is stale and is hopelessly barred by limitation. Accordingly, we dismiss this application summarily.



(P.S. CHAUDHURI)
MEMBER (A)


15.1.90.

(A.P. BHATTACHARYA)
MEMBER (J)