

CENTRAL ADMINISTRATIVE TRIBUNAL
BENCH AT MUMBAI

ORIGINAL APPLICATION NO. 503 /1996

Date of Decision: 11-10-96

Shri Suresh s/o Kanta Bagde Petitioner/s

Shri K.K. Ahire Advocate for the
Petitioner/s

V/s.

Union of India & Anr. Respondent/s

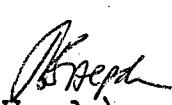
Mrs. Indira Bodade, CGSC Advocate for the
Respondent/s

CORAM:

Hon'ble Shri B.S. Hegde, Member (J)

Hon'ble Shri M.R. Kolhatkar, Member (A)

- (1) To be referred to the Reporter or not ?
- (2) Whether it needs to be circulated to
other Benches of the Tribunal ?


(B.S. Hegde)
Member (J)

ssp.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH
CAMP AT : NAGPUR

OA 503/96

Dated this 11th day of October 1996.

CORAM : Hon'ble Shri B.S. Hegde, Member (J)

Shri Suresh s/o Kanta Bagde
Rly. Quarter No. 268
Mata Fail, Badnera
Tq & Distt: Amravati

(By advocate Shri K.K.
Ahire) ... Applicant

v/s

- 1) Union of India
through The General
Manager, Central Rly.
Bombay VT.
- 2) The Divisional Rly.
Manager, Central Rly.
Bhusawal
Dist: Jalgaon

(By advocate Mrs. Indira
Bodade, CGSC) ... Respondents

ORDER (ORAL)

(Per: Shri B.S. Hegde, Member (J))

Neither the counsel for the applicant nor the
applicant is present. Pursuant to the notice of the
Tribunal, Mrs. Indira Bodade appears for the
Respondents. The learned counsel for the Respondents
submits that the applicant is seeking appointment on
compassionate grounds. Applicant's father who was
working Safaiwala in Sanitary Department, Badnera
died on 21-5-1971 and he has filed this O.A. in 1996

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i.e. after 25 years of the death of his father though the applicant has attained the majority in 1987 nor he has filed any M.P. for condonation of delay.

Accordingly, the O.A. is hopelessly barred by limitation.

The O.A. is therefore dismissed.


(B.S. Hegde)
Member (J)

ssp.

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Review Petition No. 68/97 in
Original Application No. 503/96

CORAM: Hon'ble Shri B.S. Hegde, Member (J)

Suresh Kanta Badge
Rly Qtr. No. 268
Mata Fail, Badnera,
Tq. and Distt. Amravati.Applicant.

V/s.
Union of India and others. Respondents.

Tribunal's order on Review Petition By Circulation.

(Per Shri B.S. Hegde, Member (J)) Dated: 14.8.97

The applicant has filed this Review Petition seeking review of the judgement dated 24.1.97. The O.A. was disposed of keeping in view of the judgement of the Tribunal dated 11.10.96. The applicants father who was working as Safaiwala in Sanitary Department, Badnera died on 21.5.1971 and the applicant has filed this O.A. in 1996, after a lapse of 25 years of the death of his father, though the applicant has attained the majority in 1987, he has filed O.A. only in 1996, without filing any M.P. for condonation of delay. Therefore the O.A. was dismissed on the ground that it is barred by limitation. The Tribunal vide order dated 24.1.97 disposed of the M.P. 224/96 filed by the applicant. In this Review Petition the applicant has again reiterated that he should have been considered for compassionate appointment, which has already been considered by the competent authority long back.

Mr

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Therefore no cause of action has arisen prior to 1982. This Tribunal cannot entertain such petition in the absence of M.P. for condonation of delay. In the result, I do not find any merit in the Review Petition. Accordingly the Review Petition is dismissed by circulation.


(B.S. Hegde)
Member (J)

NS