

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

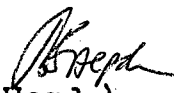
Advocate for the  
Respondent/s

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

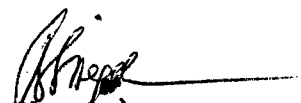
ORDER (ORAL)

{ 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

By 

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 applicant's 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*

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