

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Registered A/D

Commercial Complex (BDA)
Indiranagar,
Bangalore-560 038.

Application No.1597/86(F)

Dated the 10-9-86

To

1. N.R. Ramanna, U.D.C.
2. S.N. Shanbhag, U.D.C.
3. B. Venkatesh, U.D.C.
Office of General Manager, Telecom,
Karnataka Circle,
Bangalore - 560 009.

Subject: SENDING COPIES OF ORDER PASSED BY THIS
TRIBUNAL IN APPLICATION NO.1597/86(F)

Sir,

Please find enclosed herewith the copy of the
Order/~~Interim Order~~ passed by this Bench of the Tribunal
on 28-8-1986 in the abovesaid application.

R. Thy
SECTION OFFICER
(Judicial)

Encl: As above.

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19/9/86*

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Pl. issue for w.e.
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The applicants have prayed in paragraph 7 of their application that they may be granted seniority in UDC cadre from 17-11-1967 and allied benefits from the date shift B. Hanumanth who was junior to them was irregularly appointed as UDC and subsequently promoted as Section Supervisor. From the details of the remedies exhausted set out in paragraph 9 of their application it appears that they represented to the P.M.C. Bangalore who conveyed his decision to and by his letter dated 16-7-1980 based on the clarification given by the D.G. P & T, New Delhi. It is admitted by them that they have not invoked the writ jurisdiction of the High Court of Karnataka or the jurisdiction of the competent civil court for setting aside the aforesaid adverse decision of the P.M.C. Karnataka.

Section 21(2)(a) of the Administrative Tribunals Act, 1985 says that if the grievance in respect of which an application is made had arisen by reason of any order made at any time during the period of three years immediately preceding the date on which the jurisdiction, power and authority of the Tribunal becomes exercisable under this Act in respect of the matter to which such order relates, the Tribunal will have jurisdiction to entertain the application. The application under consideration has been filed on 30-6-1986 while the order of the P.M.C. denying applicants relief sought in their applications was made on 16-7-1980. The application is, therefore, delayed.

The applicants pray that the delay may be condoned. Section 21(3) of the Administrative Tribunals Act, 1985 clothes the Tribunal with the power to condone the delay if the applicants satisfy the Tribunal that they had sufficient cause for not making the application within the time limit. The ground advanced by the applicants is their financial difficulties. We are not persuaded to accept this ground since the applicants are holding posts under the Central Government, the emoluments of which are sufficiently adequate to seek legal redress. Even now the applicants are appearing only in person and they could have similarly moved the competent civil court or taken legal aid.

In the result the application is rejected.

Sd/-
(I.H.V. RAGO)
Member (A)
28-8-86

Sd/-
(Ch. Ramakrishna Rao)
Member (J)
28-8-86

/True copy/

10/9/86