

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
@@@@@@@

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

Dated : 10 JUN 1988

APPLICATION NO 790

/88(F)

W.P. NO

Applicant

Shri F.V. Talawar

Respondents

v/s The Collector of Central Excise,
Bangalore & another

To

1. Shri F.V. Talawar
S/o Shri Bheemappa
At & Post : Adnur
Navalgund Taluk
Dharwad District
2. Shri R.K. Hatti
Advocate
C/o Shri R.H. Chandangoudar
Advocate
82, 8th Floor, Highpoint Apartments
45, Palace Road
(Behind Hotel Chalukya)
Bangalore - 560 001

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~XXXXXX~~/
~~XXXXXX~~ passed by this Tribunal in the above said
application on 3-6-88.

Encl : as above

Deputy Registrar
DEPUTY REGISTRAR
~~XXXXXX~~
(JUDICIAL)

*Issued
10-6-88*

QC

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 3RD DAY OF JUNE, 1988

Present Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
Hon'ble Shri P. Srinivasan, Member (A).

APPLICATION NO. 790/1988

Shri F.V. Talawar,
Adnur, Navalgund Taluk,
Dharwar District.

... Applicant.

(Shri R.K. Hatti, Advocate)

v.

1. Collector of Central Excise,
Bangalore.
2. Central Board of Excise and
Customs, by its Secretary,
New Delhi. ... Respondents.

This application having come up for hearing to-day
Vice-Chairman made the following:

O R D E R

This is an application made by the applicant under
Section 19 of the Administrative Tribunals Act, 1985
(the Act).

2. The applicant who was dismissed from service as
early as on 2.6.1967 (Annexure-F) and whose appeal
against the same was also dismissed as early as on
10.2.1968, communicated on 2.3.1968 (Annexure-G),
with unflagging hope, has approached this Tribunal as
late as on 24.5.1988 challenging the aforesaid orders
on a large number of grounds.

3. Shri R.K. Hatti, learned counsel for the applicant,
strenuously, contends that this is a fit case in
which this Tribunal should interfere with the illegal,
improper and unjust orders made by the authorities.



4. Without any doubt, the grievance of the applicant arose and became final on 2.3.1968 when the appellate order was communicated to him. As ruled by this Tribunal in V.K. MEHRA v. THE SECRETARY, MINISTRY OF INFORMATION & BROADCASTING, NEW DELHI (ATR 1986 CAT 203), the grievance of the applicant, which arose prior to 1.11.1982 cannot be adjudicated by this Tribunal. On the ratio of the ruling in Mehra's case, we have no jurisdiction to examine the orders even assuming that they suffer from one or the other infirmity as urged by Shri Hatti. On this short ground this application is liable to be rejected without our examining the merits. Even otherwise this is a fit case, in which we should decline to interfere with the orders made against the applicant in 1967 & 1968.

5. In the light of our above discussion, we hold that this application is liable to be rejected. We, therefore, reject this application at the admission stage without notices to the respondents.



Sd/-

VICE-CHAIRMAN

2/2/88

Sd/-

MEMBER (A)

TRUE COPY

dms/Mrv.

R. Venkateshwaran
DEPUTY REGISTRAR (JDL) *10/16/88*
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
@@@@@@@

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

Dated : 10 JUN 1988

APPLICATION NO 790

/88(F)

W.P. NO

Applicant

Shri F.V. Talawar

Respondents

V/s The Collector of Central Excise,
Bangalore & another

To

1. Shri F.V. Talawar
S/o Shri Bheemappa
At & Post : Adnur
Navalgund Taluk
Dharwad District
2. Shri R.K. Hatti
Advocate
C/o Shri R.H. Chandangoudar
Advocate
82, 8th Floor, Highpoint Apartments
45, Palace Road
(Behind Hotel Chalukya)
Bangalore - 560 001

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~XXXXXX~~/
~~XXXXXX~~ passed by this Tribunal in the above said
application on 3-6-88

Encl : as above

R.V. Chandra Sekh
DEPUTY REGISTRAR
~~XXXXXX~~
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 3RD DAY OF JUNE, 1988

Present : Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
Hon'ble Shri P. Srinivasan, Member (A).

APPLICATION NO. 790/1988

Shri F.V. Talawar,
Adnur, Navalur Taluk,
Dharwar District.

... Applicant.

(Shri R.K. Hatti, Advocate)

v.

1. Collector of Central Excise,
Bangalore.

2. Central Board of Excise and
Customs, by its Secretary,
New Delhi.

... Respondents.

This application having come up for hearing to-day
Vice-Chairman made the following:

O R D E R

This is an application made by the applicant under
Section 19 of the Administrative Tribunals Act, 1985
(the Act).

2. The applicant who was dismissed from service as
early as on 2.6.1967 (Annexure-F) and whose appeal
against the same was also dismissed as early as on
20.2.1968, communicated on 2.3.1968 (Annexure-G),
with unflagging hope, has approached this Tribunal as
late as on 24.5.1988 challenging the aforesaid orders
on a large number of grounds.

3. Shri R.K. Hatti, learned counsel for the applicant, strenuously, contends that this is a fit case in which this Tribunal should interfere with the illegal, improper and unjust orders made by the authorities.



4. Without any doubt, the grievance of the applicant arose and became final on 2.3.1968 when the appellate order was communicated to him. As ruled by this Tribunal in V.K. MEHRA v. THE SECRETARY, MINISTRY OF INFORMATION & BROADCASTING, NEW DELHI (ATR 1986 CAT 203), the grievance of the applicant, which arose prior to 1.11.1932 cannot be adjudicated by this Tribunal. On the ratio of the ruling in Mehra's case, we have no jurisdiction to examine the orders even assuming that they suffer from one or the other infirmity as urged by Shri Hatti. On this short ground this application is liable to be rejected without our examining the merits. Even otherwise this is a fit case, in which we should decline to interfere with the orders made against the applicant in 1967 & 1968.

5. In the light of our above discussion, we hold that this application is liable to be rejected. We, therefore, reject this application at the admission stage without notices to the respondents.



dms/Mrv.

Sd/-
VICE-CHAIRMAN
2/6/86

Sd/-
MEMBER (A)

TRUE COPY

R.V. Venkateshwaran
DEPUTY CHAIRMAN (JUL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE