

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
* * * * *

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 2 SEP 1988

APPLICATION NO.

950

/88(F)

W.P. NO.

Applicant(s)

Smt P. Usha
To

v/s

The Divisional Regional Manager,
Southern Railway, Mysore & another

1. Smt P. Usha
Railway Quarters No. 69/C
Loco Colony
Southern Railway
Mysore - 20
2. Shri Syed Ishtiaq Ahmed
Advocate
46, Meenakshi Koil Street
Bangalore - 560 051
3. The Divisional Regional Manager
Southern Railway
Mysore Division
Mysore

4. The General Manager
Southern Railway
Park Town
Madras - 600 003

5. Shri K.V. Lakshmanachar
Advocate
No. 4, 5th Block
Briand Square Police Quarters
Mysore Road
Bangalore - 560 002

Received

④ P. Usha.

Date. 02.09.88.

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/STAY/INTERIM ORDER
passed by this Tribunal in the above said application(s) on 26-8-88.

Encl : As above

K. Nafis
2-9-88
AC
R. V. Venkatesh
DEPUTY REGISTRAR
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE TWENTYSIXTH DAY OF AUGUST, 1988

Present: Hon'ble Shri Justice K.S. Puttaswamy... Vice Chairman
Hon'ble Shri L.H.A. Rego .. Member (A)

APPLICATION NO.950/1988(F)

Smt. P. Usha
D/o. P. Sriramulu
Rly. Qrts. No.63/C
Loco Colony
Southern Railway
Mysore - 20.

(Shri Syed Ishtiaq Ahmed, Advocate)

.. Applicant

Vs.

1. Divisional Regional Manager
Southern Railway
Mysore.

2. General Manager
Southern Railway
O/O General Manager
Park Town
Madras-3.

.. Respondents

(Shri K.V. Lakshmanachar, Advocate)

This application having come up before
the Tribunal for hearing today, Hon'ble Vice Chairman
made the following:

ORDER

This is an application made by the
applicant under Section 19 of the Administrative Tribunals
Act, 1985 (Act). In making this application, there is
a delay of 186 days. In I.A. No.I, the applicant has
sought for condoning the said delay, which is opposed
by the respondents.

2. In her affidavit, the applicant asserts
that she is poor, had an unemployed husband and had
delivered a baby, and these factors either singly or



cumulatively justify the condonation of delay of 186 days.

3. Shri Syed Ishtiaq Ahmed, learned Counsel for the applicant contends that the applicant had made out sufficient a cause for condonation of delay and this Tribunal should therefore condone the delay and decide the case on merits.

4. Shri K.V. Lakshmanachar, learned Counsel for the respondents contends that everyone of the pleas, even if we hold them to be true and correct, do not constitute a sufficient ground for condonation of delay.

5. We have carefully read the affidavit filed in support of I.A. No.I for condonation of delay and considered everyone of the passionate submissions made by Shri Syed Ishtiaq Ahmed before us.

6. We are of the view that every one of the facts stated by the applicant in her affidavit are extremely vague and general. We even doubt the correctness of/statements except the delivery of a baby. Even if we accept every one of the pleas then also we are of the view, that they do not constitute a sufficient ground for condonation of delay.

7. When the applicant had not made a sufficient cause for condonation of delay, we have no alternative but to reject I.A. No.I without examining the case on merits.

8. In the light of our above discussion, we reject I.A. No. I and as consequence thereof the main application also. But, in the circumstances of the case, we direct the parties to bear their own costs.

Sd/-

VICE CHAIRMAN

Sd/-

MEMBER (A)

TRUE COPY



Deputy Registrar (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA) •
Indiranagar
Bangalore - 560 038

Dated : 13 JAN 1989

REVIEW APPLICATION NO. 95
IN APPLICATION NO. 950/88(F) / 88
W.P. NO.

Applicant(s)

Smt P. Usha

To

v/s

Respondent(s)
The Divisional Regional Manager, Southern Railway,
Mysore & anr

1. Smt P. Usha
C/o Shri B. Veerabhadrapa
Advocate
No. 31, High Grounds
Bangalore - 560 001
2. Shri B. Veerabhadrapa
Advocate
No. 31, High Grounds
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/STAY/INTERIM ORDER
passed by this Tribunal in the above said application(s) on 9-1-89.
Review

Encl : As above

B. Venkatesh Rao
DEPUTY REGISTRAR
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 9TH DAY OF JANUARY, 1989

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

REVIEW APPLICATION NO. 95/1988

Smt. P. Usha,
W/o H. Lakshman Singh,
24 years,
Railway Quarters No.69/C,
Loco Colony,
Southern Railway,
Mysore-20.

.... Applicant.

(Shri B. Veerabhadrapa, Advocate)

v.

1. The Divl. Regional Manager,
Southern Railway,
Mysore Division,
Mysore.

2. The General Manager,
Southern Railways,
Park Town,
Madras-3.

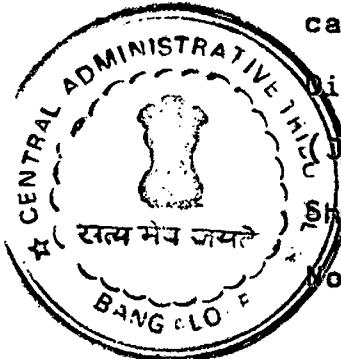
.... Respondents.

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

ORDER

In this application made under Section 22(3)(f) of
the Administrative Tribunals Act, 1985 (Act), the appli-
cant has sought for a review of an order made by a
Division Bench of this Tribunal consisting of one of us
(Justice K.S. Puttaswamy, Vice-Chairman) and Hon'ble
Shri L.H.A. Rego, Member (A), rejecting her application
No.950/88.

2. In making her application No.950/88 there was a
delay of 186 days. In I.A.No.1 the applicant sought for



condoning the said delay on the facts and circumstances stated in that application. On an examination of those facts and circumstances, this Tribunal expressing that they did not constitute a sufficient ground for condoning the delay rejected the same and consequently rejected the main application also.

3. In Review Application, the applicant had produced a medical certificate dated 15.7.1986 and delivery certificate (Annexure A and B). The applicant has urged that these could not be produced earlier.

4. Shri B. Veerabadrappa, learned counsel for the applicant contends that the evidence produced now could not be produced earlier by his client and the same constitutes a sufficient ground for reviewing our order.

5. We are of the view that the evidence which has now been produced could have as well be produced along with I.A.No.I. We see no justification for the applicant not producing this evidence along with I.A. No.I. On this ground this application for review cannot be granted.

6. In I.A. No.I the applicant had pleaded her illness and delivery and other factors. On an examination of those facts and circumstances we held that they were extremely vague, general and even accepting all of them also, they would not constitute a sufficient ground for condoning the inordinate delay of 186 days. We are of the view that what we have expressed earlier equally holds good in relying on the two certificates that are now produced.

7. On any view, we see no justification to review our order. We, therefore, reject this application at the admission stage itself without notices to the respondents.

Sd/-
VICE-CHAIRMAN

bsv/Mrv.

9/1/74

Sd/-
MEMBER (A)

TRUE COPY

R. Venkatesh
DEPUTY REGISTRAR (JD)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

