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BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH.

R.P. NO.: 141/93 IN O.A. NO.: 1227/92.

Y. S. Bhosle ... Applicant

Versus

Union Of India & Others ... Respondents.

CORAM :

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

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

APPEARANCE :

1. Shri S. P. Saxena,
Counsel for the Applicant.

2. Shri R. K. Shetty,
Counsel for the Respondents.

TRIBUNAL'S ORDER :

DATED : 24.10.1994.

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

1. Heard Shri S. P. Saxena, Counsel for the Applicant and Shri R. K. Shetty, Counsel for the Respondents.

2. The Applicant has filed a Review Petition No. 141/93 seeking restoration of the application in file. The Learned Counsel for the applicant states that when the case was disposed of on 25.01.1993, the applicant appeared in person and he was not able to engage any Counsel. None appeared for the Respondents.

The application was disposed of at the admission stage itself, solely on the ground that the application is barred by time. In this connection, he draws our attention to exhibit A-4 vide dated 30.06.1992 i.e. against the appeal preferred by the Applicant, the Respondents rejected the same on that date, stating that his request cannot be acceded to. Therefore, he submits that though he has been making correspondences with the Respondents, his request has been turned down by the Respondents in the year 1992. Thereafter, he approached this Tribunal for relief.

3. As a matter of fact, the applicant has worked as a L.D.C. for a period of 15 years and due to some family trouble he could not attend the office for a period of four to five months. In the circumstances, his termination from service is illegal and not warranted and the rules of natural justice has not been complied with. Accordingly, the Review Petition no. 141/93 is allowed.

4. Application for Condonation of delay, if any, may be filed by the applicant. Copy of the condonation petition be given to the Respondent's Counsel. On receipt of the same, the Respondent's Counsel may file reply within a period of two weeks.

5. S.O. to 19.12.1994. Copy of this order be given to both the parties.

M.R. Kolhatkar

(M. R. KOLHATKAR)
MEMBER (A).

B. S. Hegde
(B. S. HEGDE)
MEMBER (J).