

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated : 20 APR 1993

APPLICATION NO (S) 342/1993.

W.P. NO (S)

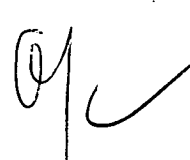
Applicant (s) A.K.Muraleedharan, v/s Respondent (s) Collector of Central
Excise & Customs, Bangalore.

- To 1. Sri.A.K.Muraleedharan,
Seaman Grade-II,
Customs Marine Unit,
Office of the Additional
Collector of Customs,
Mangalore-570 000(10).
2. Sri.R.Hari,
Advocate,
No.4, Cambridge Road,
1st Cross, Ulsoor,
Bangalore-560 008.
3. Collector of Central Excise
and Customs,
Central Revenue Building,
Queens Road,
Bangalore-560001.

Subject : FORWARDING COPIES OF THE ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of the ORDER/STAY/
INTERIM ORDER passed by this Tribunal in the above said
application (s) on 31.03.93..


For DEPUTY REGISTRAR
(JUDICIAL)



BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH : BANGALORE

DATED THIS THE 31ST DAY OF MARCH, 1993

Present: Hon'ble Mr. Justice P.K. Shyamsundar; Vice-Chairman
and

Hon'ble Mr. V. Ramakrishnan, Member (A)

APPLICATION NO. 342/1993

Shri, A.K. Muraleedharan,
Seaman Grade-II,
Customs Marine Unit,
O/o the Addl. Collector
of Customs,
Mangalore - 570 010.

Applicant.

(Shri R. Hari, Advocate)

v.

1. Collector of Central Excise,
& Customs, Central Revenue Building,
Queens Road, Bangalore - 560 001.

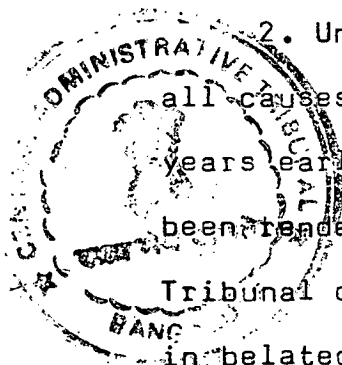
Respondent.

This application having come up for hearing before this Tribunal today, Hon'ble Mr. Justice P.K. Shyamsundar, Hon'ble Vice-Chairman made the following:

ORDER

We are not in a position to help the applicant at all for the simple reason whatever was done and whatever the man had suffered had been prior to November, 1982, when he could have challenged his adversity before the High Court as the High Court was dealing with all the problems contended by a civil servant. He did not do so but now in the year 1993 complains of injustice done to him in 1982.

2. Under the provisions of the Administrative Tribunals Act, all causes of action that have arisen at a point of time as three years earlier to the coming into force of the Tribunal itself have been rendered non-cognisable by the Tribunal. In such matters the Tribunal does not have even the power to condone the delay involved in belated commencement of litigation. The Tribunal does not have



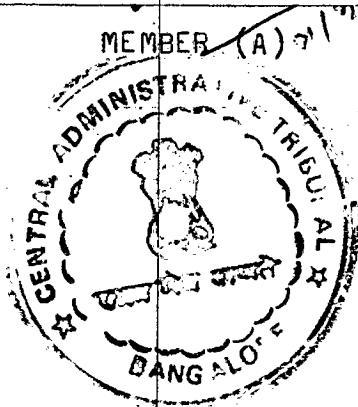
any jurisdiction to take hold of the matter even for the purpose of ascertaining whether the delay involved can possibly be overlooked. Since this was the view of the Principal Bench of CAT in the case of V.K. MEHRA v. SECRETARY, M/O INFORMATION AND BROADCASTING, NEW DELHI (ATR 1986 CAT 203) and the order of the Madras Bench of CAT in the case of V. GANGAIAN AND OTHERS v. GENERAL MANAGER, SOUTHERN RAILWAY, MADRAS AND ANOTHER (ATR 1988 (2) CAT 402), relied on by the learned counsel for the applicant does not help

hold that the matter being no longer res ~~judicata~~

3. This application has to fail for want of jurisdiction.

Accordingly it stands dismissed as not maintainable. No costs.

MEMBER (A)



VICE-CHAIRMAN

TRUE COPY

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE