

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
BANGALORE - 560 033.

Dated: 27 MAR 1995

APPLICATION NO. 922 of 1995.

APPLICANTS: Smt. Malarkodi and another.,

V/s.

RESPONDENTS: The Area Manager, Canteen Stores Deptt.,  
Bangalore-7.

To

1. Sri. C. Sathyavel, Advocates,  
No. 776/B, 15th-B-Main,  
HMT Layout, Mathikere,  
Bangalore-560054.

Subject:- Forwarding copies of the Orders passed by the  
Central Administrative Tribunal, Bangalore-38.

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Please find enclosed herewith a copy of the Order/  
Stay Order/Interim Order, passed by this Tribunal in the above  
mentioned application(s) on 14-03-1995 (Fourteenth March, 95.)

Issued on  
27/03/95

DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH : BANGALORE

ORIGINAL APPLICATION NO.922/1995

DATED THIS THE FOURTEENTH DAY OF MARCH, 1995

MR. JUSTICE P.K. SHYAMSUNDAR, VICE CHAIRMAN

MR. T.V. RAMANAN, MEMBER(A)

1. Smt. Malarkodi  
D/o. Manikkam  
Aged about 34 years  
R/at Old No.13, New No.26,  
'D' Street, Jayaraj Nagar  
Ulsoor, Bangalore-560 008.

2. Smt. Lakshmi Bai  
D/o. Late A.R. Thondur  
R/at 31/6 Artillery Road  
3rd Cross, Gouthampuram  
Ulsoor, Bangalore-560 008

..... Applicants

(By Advocate Mr. C. Sathyavel)

Vs.

1. The Area Manager  
Canteen Stores Department  
Government of India  
Ministry of Defence  
Bangalore Depot,  
Trinity Church Road  
Agram Post Box No.708  
Bangalore-560 007.

..... Respondent

O R D E R

MR. JUSTICE P.K. SHYAMSUNDAR, VICE CHAIRMAN:

This application is 6 years late in coming.

The two applicants herein were working in <sup>Defence</sup> ~~said~~ Canteen

Stores Department on daily rated basis in the years 1988

and 1989 and were thereunder denied work orally by the respondent.

Since the refusal of work by the respondent was oral, the

applicants were, it is said, every now and then <sup>kept</sup> approaching



the respondent who kept on assuring them that they would be taken back for work.

2. But the promises have come to a naught and hence they have now come before us seeking appropriate directions being given to the respondent for continuing them in service.

3. The date on which they were prevented from doing work was admittedly in the year 1989. It is clear that for the last 6 years they were not in employment with the respondents at all and that if they had some right in that behalf they should have surely come to the Tribunal much earlier, the period of limitation being one year from the date of denial of work, i.e., 1989. If they had been denied employment in the year 1989 they should have come to the Tribunal in the year 1990 instead they have come today with an application seeking condonation of delay which is also totally bald and gives no account as to why the applicants had kept quiet for such a longish period of 5 to 6 years. To a question as to why they had kept quiet for such a long period, the explanation by counsel was that the department had orally assured the applicants that they would be taken back for work and that they should not resort to any legal action to which there is however some reference in the affidavit also. Neither ground appears to us to be sufficient to warrant exercise of discretion for condoning this longish delay

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in coming to the Tribunal. As a matter of fact we also see no substance in that application and therefore, it is clearly a case in which the claim for relief is barred by limitation and we find no reason at all to condone the delay involved in presenting this application. Hence, it is dismissed at the admission stage itself.

Sd/-

(T.V. RAMANAN)  
MEMBER (A.)

Sd/-

(P.K. SHYAMSUNDAR)  
VICE CHAIRMAN



TRUE COPY

*[Signature]*  
27/3/95  
Section Officer  
Central Administrative Tribunal  
Bangalore Bench  
Bangalore