

(4)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 288/94.

~~XXXXXXAPPXXXXXX~~

DATE OF DECISION: AUGUST 30, 1994.

1. Shri Somasundaram Kasi

2. Miss Jayasingaran,

Petitioners

None.

Advocate for the Petitioners

Versus

Union Of India & Others,

Respondent

Shri J. G. Sawant,

Advocate for the Respondent(s)

CORAM :

The Hon'ble Shri Justice M. S. Deshpande, Vice-Chairman.

The Hon'ble Shri R. Rangarajan, Member (A).

1. To be referred to the Reporter or not ? *✓*

2. Whether it needs to be circulated to other Benches of
the Tribunal ? *✓*


(M. S. DESHPANDE)
VICE-CHAIRMAN.

os*

(S)

BEFORE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH.

O.A. NO.: 288/94.

1. Shri Somasundaram Kasi. | ... Applicants.
2. Miss Jayasingaran. |

Versus

Union Of India & Others ... Respondents.

CORAM :

Hon'ble Shri Justice M. S. Deshpande, Vice-Chairman.

Hon'ble Shri R. Rangarajan, Member (A).

APPEARANCE :

Shri J. G. Sawant,
Counsel for the respondents.

ORAL JUDGEMENT

DATED : AUGUST 30, 1994.

¶ Per. Shri M. S. Deshpande, Vice-Chairman ¶.

1. None for the applicant. Shri J. G. Sawant,
Learned Counsel, was heard for the respondents.

2. The applicants claim to have been appointed from 31.01.1982 and were orally terminated with effect from 18.07.1984. They also state that they made representations against their termination from 18.02.1983 upto 19.05.1985 and their last representation was sent on 19.01.1994 by ordinary post.

3. The respondents have not filed any reply to the application for condonation of delay.

(6)

The O.A. was filed on 28.02.1994. Shri Sawant, Learned Counsel for the respondents states that none of the representation alleged to have been sent, were received, but the only application dated 19.01.1994 (annexure 'Y') to the O.A. was received, and that was only for issue of the Service Card. The position however remains that the termination had taken place much earlier. The application for condonation of delay ~~MP~~ No. 291/94 does not give any reasons, which would justify the condonation of delay, except stating that the termination was not in compliance with Section 25(f) of the Industrial Disputes Act, 1947 and the technical plea of limitation cannot be raised by the respondents. It is difficult to accept this position in view of the provisions under section 21 of the Administrative Tribunal ~~Act~~.

4. The O.A. is dismissed, as barred by time.


(R. RANGARAJAN)
MEMBER (A).


(M. S. DESHPANDE)
VICE-CHAIRMAN.

os*