

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH
CAMP AT NAGPUR

Original Application No. 152/95

M.R. Meshram

... Applicant.

V/s.

Union of India through
Secretary, Ministry of
Railways, Railway Board
Rail Bhavan, Rafi Marg.
New Delhi.

The General Manager
South Eastern Railway
Garden Reach
Calcutta.

The Divisional Railway Manager
South Eastern Railway
Nagpur.

... Respondents.

CORAM: Hon'ble Shri Justice M.S. Deshpande, Vice Chairman
Hon'ble Shri P.P. Srivastava, Member (A)

Appearance:

Shri M. Ayyub, counsel
for the applicant.

None for the respondents.

ORAL JUDGEMENT

Dated: 17.4.95

(Per Shri M.S. Deshpande, Vice Chairman)

We have heard Shri M. Ayyub, counsel for the applicant. Respondents representative Shri S.V. Banerji has stated that no advocate has been engaged by the respondents so far. The only reason for moving the Tribunal that is to be found in the application for condonation of delay is in para 8 of the application ^{where} it is stated as follows:

" The cumulative effect of his dejection to secure administrative justice rendered him sick in bed and on recovery therefrom, the applicant is filing this application for equitable justice. Medical certificate enclosed."

...2...

(3)

The medical certificate shows that the applicant was ailing from 3.6.94 to 15.6.94. The disciplinary authority has passed the order of punishment on 12.1.88 and Appellate authority has passed its order reducing the punishment of removal to reduction to the post of Guard Grade 'C' on 23.6.88. The applicant filed revision petition on 17.7.90 and that was decided on 12.12.90. The present application was filed on 12.1.95. It is not possible to ascertain when first representation was made and medical certificate filed by the applicant would not be enough to demonstrate that there was sufficient cause for the delay in filing the application. The application for condonation of delay is rejected. O.A. is dismissed as barred by time.


(P.P. Srivastava)
Member (A)


(M.S. Deshpande)
Vice Chairman

NS