

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDERABAD.

M.A.No. 71 of 1990.

and

O.A.No.131 of 1990.

Date of Order:20-2-90.

Between:-

P.Narasinga Rao.

...Applicant.

(Applicant/Respondent)

and

1. Divisional Railway Manager,(DRM) S.E.Railway,  
Vallair, Visakhapatnam-4.
2. Sr.Divisional Mechanical Engineer,(Sr.DME),  
S.E.Railway, Vallair, Visakhapatnam-4.
3. Divisional Mechanical Engineer(power) 'DME(P)'  
S.E.Railway, Vallair, Visakhapatnam-4.

...Respondents.

(Respondents/Applicants)

FOR THE APPLICANT : Mr.M.Balakrishna Murthy, Advocate.

FOR THE RESPONDENTS: Mr.N.R.Devaraj, SC for Railways.

CORAM: THE HON'BLE MR.B.N.JAYASIMHA: VICE CHAIRMAN.  
THE HON'BLE MR.D.SURYA RAO: MEMBER:(JUDL)

THE TRIBUNAL MADE THE FOLLOWING ORDER:-

This is an application for condonation of delay of more than two years 2 months in filing the present O.A.No.131/90.

The applicant in the main application seeks to question the order dated 19-5-86 issued by the DRM, Vallair, South Eastern Railway, whereby the DRM increased the penalty of upgradation from the post of Driver to shunter from six month to one year.

The applicant in the condonation delay petition seeks to contend that his wife was seriously ill from 1986 onwards till December, 1988. Thereafter he made some representation to the authorities against the punishment order. It is contended that these representations were not disposed of. Thereafter he approached this Tribunal.

We have heard the learned counsel for the applicant Shri N.R.Devaraj, standing counsel for Railways.

It is clear from the averments in the condonation delay petition that till the end of 1988 the applicant had some cause for the delay viz., his wife was seriously ill, but thereafter no valid reasons have been shown to condone the

(85)

All that is stated is that the applicant has been making representations against the order of punishment. No such representation was maintainable at that point of time. Further it has been held on more occasions than one that making repeated representations again and again cannot be a ground for condonation of delay. Further the applicant has carried the punishment by the end of 1988.

In these circumstances we find no reason or ground for condoning the delay. Hence, the P.M. for condonation of delay in filing P.A.131/93 is dismissed. Automatically, the P.A. 131/93 get dismissed. No costs.

*S. Venk*  
DEPUTY REGISTRAR (J)  
21/4

To:

1. The Divisional Railway Manager, (DRM) S.E.Railway, Waltair, Visakhapatnam-4.
2. The Sr.Divisional Mechanical Engineer, (Sr-DRM), S.E.Railway, Waltair, Visakhapatnam-4.
3. The Divisional Mechanical Engineer(power) (DME(P)) S.E.Railway, Waltair, Visakhapatnam-4.
4. One copy to Mr. M.Balakrishna Murthy, Advocate, 49-35-27 Abid Nagar, Akkayyapalem, Visakhapatnam. (By post).
5. One copy to Mr. N.R.Devaraj, SC for Aliya., CAT, Hyd.
6. One spare copy.

\* \* \*

K.J.

*b*

*16/1/93  
J.D.R.  
21/4/93*

*Subj/2/2/2/2*  
Draft by: Checked by: Approved by  
D.R.(J)

Typed by: Compared by:

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
HYDERABAD BENCH.

HON'BLE MR.B.N.JAYASIMHA: (V.C.) ✓  
A N D  
HON'BLE MR.D.SURYA RAO: MEMBER (JUDGE)  
A N D  
HON'BLE MR.J.NARASIMHA MURTHY: (M)(J)  
A N D  
HON'BLE MR.R.BALASUBRAMANIAN: (M) (A)

DATED: 20 2 90

ORDER/JUDGMENT:

M.A./R.A./C.A./No. 71/90 in  
T.A.No. (W.P.No. )  
D.A.No. 131/90

Admitted and Interim directions  
issued.

Allowed.

MA Dismissed. & dismissed.

Disposed of with direction.

M.A. Ordered.

No order as to costs.

Central Administrative Tribunal  
DESPATCH  
22 FEB 1990  
HYDERABAD BENCH.

Sent to Xerox on:

*J.B. 2/2/2/2*