

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, HYDERABAD BENCH AT HYDERABAD.

O.A.No. M.A.247/90 & OA 388/90

DATE OF DECISION: 24-7-1990.

T.A.No.

G.Ramakrishna

Petitioner.

P.N.Venkatachari

Advocate for the
petitioner(s)

Versus

Head, PGA Divn., SHAR Centre,
Sriharikota & others

Respondent.

E.Madan Mohan Rao, Addl.CGSC

Advocate for the
Respondent(s)

CORAM:

THE HON'BLE MR. B.N.Jayasimha, Vice-Chairman

THE HON'BLE MR. D.Surya Rao, Member (Judicial)

1. Whether Reporters of local papers may be ^{no} allowed to see the Judgment ?
2. To be referred to the Reporter or not ? ^{no}
3. Whether their Lordships wish to see the ^{no} fair copy of the Judgment ?
4. Whether it needs to be circulated to ^{no} other Benches of the Tribunals ?
5. Remarks of Vice Chairman on columns
1, 2, 4 (To be submitted to Hon'ble Vice Chairman where he is not on the Bench)

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(27)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD.

M.A. NO. 247/90 & O.A. 388/90

Date of the order: 24-7-1990.

Between

G.Ramakrishna

... APPLICANT

(in both the petitions)

A N D

1. Head, PGA Division,
SHAR Centre, Sriharikota.
2. Controller, SHAR Centre,
Sriharikota.
3. Director, SHAR Centre,
Sriharikota.

... RESPONDENTS

(in-20-)

Appearance:

For the applicant : Sri P.N.Venkatachari, Advocate

For the Respondents : Sri E.Madan Mohan Rao, Addl.CGSC

CORAM:

The Hon'ble Sri B.N.Jayasimha, Vice-Chairman

and

The Hon'ble Sri D.Surya Rao, Member (Judicial)

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...2.

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(ORDER OF THE BENCH DELIVERED BY THE HON'BLE
SRI D.SURYA RAO, MEMBER (JUDICIAL)).

The applicant in O.A. 388/1990 was an employee of the SHAR Centre, Sriharikota. He was working as a light vehicle driver since 9-10-1974. He was removed from service as a result of disciplinary proceedings commenced against him by an order of the first Respondent dated 21-3-1988 which was confirmed by the second Respondent, in appeal, by an order dated 16-8-1988. The Respondent, the revisional authority, however, by an order dated 1-11-1988 modified the punishment to one of compulsory retirement. It is these orders of punishment which culminated in his compulsory retirement which are sought to be questioned in the O.A.

2. Alongwith the O.A., the applicant has filed a Miscellaneous Application, M.A. 247/1990 for condoning the delay of 177 days in filing the O.A. The only reason given for condoning the delay is that the applicant was under ^a fond hope that the Respondents would take stock of the situation. He, therefore, prayed that he may be permitted to approach this Tribunal and that the Tribunal may exercise the discretion vested in it and condone the delay beyond the period prescribed under Section 21 of the Administrative Tribunals Act, 1985.

3. We have heard the arguments of the learned counsel for the Applicant, Sri P.N.Venkatachari and Sri E.Madan Mohan Rao, Additional Standing Counsel for the Central Government who has taken notice on our direction both in regard to admission of the main case and on the condone delay petition. It is clear that no valid reasons have been adduced by the applicant for condoning the delay. The reason given,

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namely that he had a fond hope that the Respondents would take stock of the situation, is not a reason for condoning the delay. We find no merits in the Miscellaneous Application for condoning the delay. The M.A. and the O.A. are accordingly dismissed. No costs.

B.N.Jayashimha
(B.N.Jayashimha)
Vice-Chairman

D.Surya Rao
(D.Surya Rao)
Member (Judicial)

Dated: 24th day of July, 1990.

D.Surya Rao
DEPUTY REGISTRAR (JUDL)

mhb/

To

1. The Head, PGA Division, SHAR Centre, Sriharikota.
2. The Controller, SHAR Centre, Sriharikota.
3. The Director, SHAR Centre, Sriharikota.
4. One copy to Mr.P.N.venkatachari, Advocate
11-6-868, Red Hills, Hyderabad - 4.
5. One copy to Mr.E.Madanmohan Rao, Addl.CGSC.CAT.Hyd-Bench.
6. One spare copy.

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