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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:  
AT HYDRABAD

MISCELLANEOUS APPLICATION NO.234 of 1999

IN  
ORIGINAL APPLICATION NO. 797 of 1997

DATE OF ORDER: 5<sup>th</sup> JULY, 1999

BETWEEN:

1. K.V.S.S.NAGENDRA SAI,
2. K.ARUNA DEVI,
3. D.DORAI SWAMY,
4. B.MOHANA RAO,
5. Ch.GANGADHARA RAO,
6. UGNS VALLI,
7. B.SATYAVANI,
8. K.RAJESWARI,
9. JV RAVI SHANKAR,
10. A.VENKATA RAO,
11. B.SATYANARAYANA,
12. K.YEDUKONDALU,
13. G.CHANDRASEKHAR RAO,
14. MNL NARASIMHAM,
15. SV REDDY,
16. T.PURRESWARA RAO,
17. L.VENKATA NAGENDRA BABU,
18. MVV SATYANARAYANA MURTHY.

.. APPLICANTS

AND

1. Union of India, rep. by its Secretary  
to Govt, Dept. of Posts,  
New Delhi,
2. The Director General (Posts),  
CGO Complex, New Delhi,
3. The Chief Post Master General,  
Andhra Pradesh Circle,  
Hyderabad,
4. The Superintendent of Post Offices,  
Eluru Division, Eluru,  
West Godavari District,
5. The Superintendent of Post Offices,  
Rajahmundry Division, Rajahmundry,  
East Godavari District.

.. RESPONDENTS

COUNSEL FOR THE APPLICANTS: MR. N.SAIDA RAO

COUNSEL FOR THE RESPONDENTS: Mr. B.N.SARMA, Sr.CGSC

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CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

HON'BLE SHRI B.S.JAI PARAMESHWAR, MEMBER (JUDL.)

ORDER

(PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Mr.Saida Rao, learned counsel for the applicants and Mr.B.Narasimha Sarma, learned standing counsel for the respondents.


2. O.A.NO.797/97 was disposed of on 27.6.97. Thereafter, it is stated in the M.A. that a review application was filed in Decmeber 1997 and that review application has also been dismissed. The applicants have also issued notice to the respondents on 10.5.98 to implement the judgement in the above O.A. No reply has been received by them. Inspite of the review application being dismissed, the judgement of this Bench has not been implemented which judgement is based on the judgement of the Ernakulam Bench of this Tribunal in OA 1410/95. The applicants in OA 1410/95 had got the benefit. Hence this M.A. is filed for implementation of the judgement in OA 797/97.

3. A reply has been filed in this M.A. The respondents relying on the Judgement of the Apex Court reported in 1997 (7) SCC 30 (Union of India and another v. K.N.Sivadas and others) submit that the applicants are not entitled for any relief.


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4. O.A.No.797/97 was disposed of way back on 27.6.97. The applicants filed this M.A. on 22.3.99, nearly two years later, for implementation. If the respondents failed to implement the orders of this Tribunal, the applicants could have resorted to other judicial proceedings which may compel them to implement the orders. But they did not take any such action. As it may be possible that the applicants may apprehend that they may not be able to file even a contempt petition, they wanted to take recourse to file this M.A. for implementation based on the result of which they may contemplate to file some other proceedings for implementation of the judgement. Such an action on the part of the applicants cannot be accepted at this belated stage. We do not want to go into the merits of this implementation petition. The delay and laches have to be taken note of and hence the M.A. is disposed of with no orders.

  
(B.S. JAI PARAMESHWAR)  
MEMBER (JUDL.)

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(R. RANGARAJAN)  
MEMBER (ADMN.)

DATED: 5<sup>th</sup> JULY, 1999

  
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