

**Central Administrative Tribunal
Madras Bench**

MA 310/00754/2015 & OA 310/00511/2017

Dated Monday the 19th day of November Two Thousand Eighteen

P R E S E N T

**Hon'ble Mr. R.Ramanujam, Member(A)
&
Hon'ble Mr. P. Madhavan, Member(J)**

1. S. Sundaramurthy
E-14, Police Quarters, D. Nagar
Gorimedu, Puducherry – 605 006.

2. A. Varadhan @ Adhimoolam
No. A/123, Gandhi Street
Gandhi Thiru Nallur
Muthirapalayam
Puducherry – 605 010.

.. Applicants

By Advocate **M/s. R. Saravanan**

Vs.

1. Union of India
Rep. by the Secretary to Government
Home Department
Government of Union Territory of Puducherry
Puducherry.

2. The Inspector General of Police
Government of Union Territory of Puducherry
Puducherry.

3. The Superintendent of Police
Head Quarters
Government of Union Territory of Puducherry
Puducherry.

.. Respondents

By Advocate **Mr. R. Syed Mustafa**

ORAL ORDER

Pronounced by Hon'ble Mr. R. Ramanujam, Member(A)

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“a. Direct the respondents to notionally promote the applicants as Police Constables with effect from 16.10.2003 with all consequential, monetary, service and seniority benefits;

b. Award costs

c. pass such further or other orders”

2. On perusal, it is seen that the matter came up for admission on 11.09.2015 when it was observed that the counsel for the applicant attempted to explain the delay in filing the OA, attributing the same to the proposed amendment of rules in favour of the applicant which did not finally materialise. This Tribunal noted that even assuming for the time being that the cause of action had arisen in the year 2010, there was a delay in filing the OA and, therefore, the applicant had to move an application to condone the delay in filing the OA. The matter was posted to 25.09.2015.

3. The MA for condonation of delay was submitted and heard on 06.10.2015 and notice was directed to be issued to the respondents by dasti through CFA. Thereafter, the matter had been listed on several dates. However, despite the filing of the reply by the respondents in September 2017, the matter was never pressed for urgent hearing.

4. It is seen that in the MA, the applicants have not satisfactorily explained the delay except to state that they had been making repeated representations to the Grievance Cell which is not a valid excuse. As the delay is of 1620 days and the applicants have not shown any interest even after filing this OA and MA in pressing the matter, the conclusion is inescapable that the applicants are lethargic and their claim is frivolous. Accordingly, we deem it appropriate to dismiss the MA for condonation of delay. Consequently, the OA is not liable to be admitted.

5. OA and MA are dismissed.

(P. Madhavan)
Member (J)

19.11.2018

(R. Ramanujam)
Member(A)

AS