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**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

M.A. /310/398/2019
in &
ORIGINAL APPLICATION NO. 310/00 994/2019

Dated Monday, the 29th day of July, 2019

PRESENT

**Hon'ble Mr.Justice L. Narasimha Reddy, Chairman
&
Hon'ble Mr.T.Jacob, Member(A)**

A. Justin Raj S/o. A. Alangamani,
5-28, Palayakada Thundam,
Painkulam Post- 629 173
Kanyakumari District.

....Applicant

By Advocate M/s Aji Kumar

Vs

1. The Government of India Rep.
By its Under Secretary,
Ministry of Communication,
New Delhi;
2. Chief Postmaster General
Tamil Nadu Circle,
Chennai-600 002.

....Respondents

By Advocate: Mr. M. Kishore Kumar

ORAL ORDER

Hon'ble Mr.Justice. L. Narasimha Reddy, Chairman

The applicant has filed this MA with a prayer to condone
the delay of 395 days in filing OA.

2. Brief facts of the case are that the respondents issued a notification for the purpose of direct recruitment to the post of Postman/Mail Guard on 11.12.2016. However, that notification was cancelled on 18.5.2017. The applicant proposes to challenge the notification dated 18.5.2017. He contends that a written examination was conducted by the respondents in pursuance of the notification dated 11.12.2016 and that he has secured fairly good marks therein. He submits that the cancellation was not known to many, and it was only in response to an application filed under Right to Information Act, that he came to know about it. He therefore states that the delay in filing this OA is neither wilful nor wanton.

3. We heard Mr. S. Aji Kumar, Learned counsel for the applicant and Mr. M. Kishore Kumar, Learned Senior Panel Counsel for the respondents.

4. The delay is no doubt not enormous and in a given case, it is capable of being condoned, particularly when the applicant was not aware of the notification of cancellation. What, however, becomes important is that the notification for recruitment was issued on 11.12.2016 and was cancelled on 18.05.2017. It is not the case where the rights of the applicant alone are involved. Several thousands of candidates took the

examination. On coming to know that malpractices have been committed in the examination, the notification itself was cancelled. Thereafter several steps have been taken to fill up the posts. Revival of the 2015 notification at this stage would not only be a futile exercise but would also lead to several complications.

5. We, therefore dismiss the MA, and consequently, OA shall also stand dismissed. There shall be no order as to costs.