

**Central Administrative Tribunal  
Ernakulam Bench**

OA No.180/00481/2019

Wednesday, this the 17<sup>th</sup> day of July, 2019.

**CORAM**

**Hon'ble Mr.E.K.Bharat Bhushan, Administrative Member  
Hon'ble Mr.Ashish Kalia, Judicial Member**

P.K.Kunhukutty, aged 72 years  
S/o Kumaran  
Chief Commercial Supervisor (Retd),  
Southern Railway, Trivandrum.

Applicant

(Advocate: Mr. Siby J.Monippally)

**versus**

1. Union of India represented by  
General Manager  
Southern Railway, Park Town,  
Chennai-3.
2. The Divisional Railway Manager  
Southern Railway, Trivandrum Division  
Trivandrum-14.
3. The Senior Divisional Personnel Officer  
Southern Railway, Trivandrum Division,  
Trivandrum-14.

Respondents

(Advocate: Ms. Mini R.Menon, ACGSC)

The OA having been heard on 17<sup>th</sup> July, 2019, this Tribunal delivered the following order on the same day:

**O R D E R (oral)**

**By E.K.Bharat Bhushan, Administrative Member**

Heard Sri Siby J.Monippally, learned counsel for the applicant.

Applicant in the OA states that he had entered the services of the Railways on 18.11.1966 as Commercial Clerk in Palaghat Division and was

voluntarily retired on 31.7.2000.

**2.** The prayer contained in the OA is for a declaration that the applicant is entitled to get service, salary and other allowances from 31.7.2000 (Voluntary retirement date) to 30.9.2005 (normal superannuation date). This is strongly objected to by the Standing Counsel for Railways-Ms. Mini R.Menon.

**3.** We see no justification in considering the prayer made by the applicant in the OA, primarily for the reason that there has been a delay of nearly 20 years on the part of the applicant to take up his cause.

**4.** In view of the delay as stated, the OA is liable to be dismissed and accordingly it is dismissed.

**(Ashish Kalia)**  
**Judicial Member**

**(E.K.Bharat Bhushan)**  
**Administrative Member**

aa.

**Annexures filed by the applicant:**

Annexure A1 Copy of the representation dated 25.11.2018.