

CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
AT HYDERABAD

OA/021/00872/2019
Date of Order : 25-09-2019

Between :

B. Pooli Ramesh S/o Rama Rao,
Aged about 34 years, Occ :
R/o 1-1-230/1, Gandhi Nagar, Kapra,
ECIL, Medchal District.

....Applicant

AND

1. The Union of India Rep by
The GM, South Central Railways,
Lalaguda, Secunderabad-25.

2. The Senior DEE/ELS,
SC Railways,
Lalaguda, Secunderabad-25,

...Respondents

Counsel for the Applicant: Mr. R. Yogender Singh

Counsel for the Respondents : Mr. S. M. Patnaik, SC for Rlys

CORAM :

THE HON'BLE MRS.NAINI JAYASEELAN: ADMINISTRATIVE MEMBER

ORAL ORDER

(per Hon'ble Mrs.Naini Jayaseelan, Administrative Member)

Heard Mr.R.YogenderSingh, learned counsel for the applicant and Mr.

S. M. Patnaik, learned Standing Counsel for Respondent Railways.

2. During the course of hearing, it is noticed that the applicant was
deemed to have been suspended vide order dated 16.01.2013 with effect

from 14.10.2012 and the suspension order was subsequently revoked and the applicant was reinstated into service with effect from 20.04.2013. Copy of the revocation order is not on record. There is also no impugned order on record. There is only one legal notice dated 25.06.2019/27.06.2019 (Annexure A-4 to OA) addressed to Respondent No.2.

3. Sri S.M. Patnaik, learned Standing Counsel for the Respondents states that the case is barred by limitation. Even if one year is calculated from the date of revocation of suspension or from the date of reinstatement into service, more than six years have elapsed. In view of Section 20 (2)(b), the OA is not maintainable. Section 20(2)(b) reads as under : -

“20. (1)

(2)

(a)

(b) where no final order has been made by the Government or other authority or officer or other person competent to pass such order with regard to the appeal preferred or representation made by such person, if a period of six months from the date on which such appeal was preferred or representation was made has expired”.

4. In view of the above submissions, the Original Application is disposed at the admission stage without going to merits as it is hit by Section 20(2)(b) of the A.T.Act. No order as to costs.

(NAINI JAYASEELAN)
ADMINISTRATIVE MEMBER

Dated : 25th September, 2019.
Dictated in Open Court.

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