

* IN THE HIGH COURT OF JUDICATURE AT HYDERABAD
FOR THE STATE OF TELANGANA AND THE STATE OF ANDHRA
PRADESH

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND

* HON'BLE SRI JUSTICE M. GANGA RAO

+ W.P.NO.36339 of 2017

% Date: 31-10-2017

Between:

Madhusudan Kulakarni,
S/o. Ramachandra Rao Kulakarni,
Retd. Employee, R/o. H.No.43-438/2,
R.T.C. Colony, Moula-ali,
Hyderabad.

.... Petitioner

And

1. The Union of India, rep. by its Ministry of Railways, New Delhi.
2. The Chief Personnel Officer, South Central Railways, IV Floor, Rail Nilayam, Secunderabad – 500 017
3. The Chief Workshop Manager, Lalaguda Workshop, Lalaguda, Secunderabad – 500 017.
4. The Senior Divisional Personnel Officer, South Central Railways, Hyderabad Division, Secunderabad – 500 025.

... Respondents

! Counsel for the Petitioner : Mr. N. Tata Babu

^ Counsel for Respondents : Mrs. A. Lalitha Gayathri
S.C. for SCR.

< GIST:

> HEAD NOTE:

? Cases referred

**HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE M. GANGA RAO**

WRIT PETITION No.36339 of 2017

ORDER: (Per VRS,J)

The petitioner, who retired exactly 12 years ago on 31.10.2005, filed an application before the Central Administrative Tribunal in O.A.No.895 of 2005 seeking promotion to certain posts with effect from the years dated 1993-1995. Since the Original Application had been filed after 12 years of the alleged right to promotion arose, the Tribunal dismissed the O.A. not only as time barred but also for non-impleadment of his juniors against whom the petitioner made a claim. After keeping quiet for more than 11 years from the date of the order of the Central Administrative Tribunal, the petitioner has come up with the above writ petition.

2. Heard Mr. N. Tata Babu, learned counsel for the petitioner and Mrs. A.B. Lalitha Gayathri, learned Standing Counsel for the respondents.

3. As rightly observed by the Tribunal, the petitioner approached the Tribunal after 12 years of the cause of action. After the Tribunal dismissed the Original Application, he has come up with a writ petition again after 12 years.

4. Therefore, not only the order of the Tribunal was correct but also the present writ petition hopelessly barred by delay and laches. Hence the writ petition is dismissed.

5. As a sequel, miscellaneous petitions pending in this writ petition, if any, shall stand closed. There shall be no order as to costs.

V. RAMASUBRAMANIAN, J.

M. GANGA RAO, J.

31st October, 2017
Js.

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE M. GANGA RAO

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