

The Hon'ble Sri Justice V. RAMASUBRAMANIAN  
and  
The Hon'ble Sri Justice M. GANGA RAO

WRIT PETITION No.39444 OF 2017

Date:22.11.2017

Between:

K. Kesia Naik S/ o.K. Sakru Naik,  
Aged about 41 years, Occ: Joint Manager,  
Speed Post Set 3B, National Speed Post Hub,  
Begumpet, Hyderabad 500 016.

...Petitioner

Vs.

Union of India, Rep. by its Director General  
of Posts, Department of Posts, New Delhi and others.

... Respondents

For Petitioner : Sri M. Venkanna

For Respondents : Sri K. Lakshaman  
(Assistant Solicitor General)



HON' BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON' BLE SRI JUSTICE M. GANGA RAO

WRIT PETITION No.39444 OF 2017

ORDER: (per V. Ramasubramanian, J)

Aggrieved by the dismissal of his application by the Central Administrative Tribunal on the ground of limitation, the petitioner, working as an Assistant Superintendent of Post Offices has come up with the above writ petition.

2. Heard Mr.M. Venkanna, learned counsel for the petitioner.

3. The petitioner took the examination for promotion to the post of Inspector of posts, way back in March, 2002. It appears that the petitioner was originally declared to have secured '17' marks. Since the petitioner belongs to the Scheduled Tribe community, he was entitled as per the office memo to have his case reviewed.

4. The grievance of the petitioner was that his case was not reviewed and after some time he obtained information in the year 2009 under the Right to Information Act that he has secured '21' marks.

5. But, instead of acting immediately, the petitioner went before the Tribunal only in the year 2012. Since the relief sought by the petitioner was with respect to a promotion to the post of Inspector conducted in March, 2002 and since a period of 10 years had elapsed by the time the petitioner filed the original application, the Tribunal dismissed the O.A. solely on the ground of delay. Aggrieved by the said order, the petitioner is before us. As a matter of fact, the claim of the petitioner is with respect to the selection to the post of Inspector conducted in March, 2002. The petitioner subsequently gained promotion even to the post of Inspector and Superintendent of Posts on

19.02.2013. It is only three years thereafter, that he choose to go before the Tribunal with respect to a post which was the second level to the one that he was occupying. Therefore, the Tribunal was right in dismissing the original application on the ground of delay. We see no reason to interfere with the order of the Tribunal.

6. Hence the writ petition is dismissed. As a sequel thereto, miscellaneous petitions, if any, pending shall stand dismissed. No order as to costs.

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V. RAMASUBRAMANIAN, J

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M. GANGA RAO, J

November 22, 2017  
KTL

