

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA No. 1414/99

New Delhi, this the 28th day of June, 1999

HON'BLE SHRI R.K. AHOJA, MEMBER (A)

In the matter of:

Shri Sukh Pal
S/o Sh. Ganga Dhar
Ex- Casual Labour - Mason,
(Service Card No. 195/84),
(DLI-Division), Central Hospital,
Northern Railway,
New Delhi.

(and at present residing at:
H.No. A-212, Puran Camp, Tajpur Pahari,
Jaipur Road,
Badarpur,
New Delhi. Applicant
(By Advocate: Sh. Jati Ram)

Vs.

1. Union of India through its Secretary,
Ministry of Railways,
New Delhi-110001.
2. The Divisional Railway Manager,
Northern Railway, D.R.M.Office,
New Delhi-110001. Respondents
(None).

O R D E R (ORAL)

The applicant claims that he had rendered service as a Mason in different departments of Northern Railways since 29.6.77 to 30.7.82. Thereafter a number of employees junior to him and who had joined as casual labour after him have been absorbed in service by the respondents on regular/permanent basis. The applicant says that he has reminded time and again for regular appointment but the respondents are not permitting him to join his duties. He has now come before the Tribunal with the prayer that respondents be directed to regularise his services with retrospective effect from 31.7.82 in the post of Mason with full back wages and arrears as per the decision taken by the respondents on 23.11.98.

On

2. I have heard the learned counsel who draws my attention to Annexure 'B' which appears to be an Office noting in Northern Railway regarding the representation for re-engagement submitted by the applicant to the Prime Minister's Office alongwith a D.O. letter of a Member of Parliament. The noting states that the service of the applicant from 1977 to 1982 for 617 working days has been verified and also that the applicant belongs to the Scheduled Caste community. The only direction noted thereon is that this note may be forwarded to Sr. D.P.O. for further necessary action. Learned counsel submits that copy of this noting has been forwarded to him and on the basis of this noting he has sought to rejoin the duties. Learned counsel also points that in the margin of this document there is a direction that the applicant may be absorbed as a Mason on regular basis from 1982 with full back wages. I find that no reliance can be placed on this document. This document does not show the authorities who have dealt with it nor does it appear that this is a communication sent by the respondents to the applicant.

3. In view of this position no relief can be granted to the applicant as it is clearly time barred. OA is accordingly dismissed at the admission stage itself on the ground of limitation in terms of Section 21 of Administrative Tribunals Act.

R.K. Ahuja —
(R.K. AHOOJA)
Member (A)

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