

Central Administrative Tribunal
Principal Bench

O.A. 2633/99

New Delhi this the 29th day of September, 2000

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

Shri Hama Singh,
S/o Shri Hukam Chandel,
R/o 484/A-101, Dharmasala Gali,
Delhi-52.

..... Applicant.

(By Advocate Ms. Meenu Mainee proxy for Shri B.S. Mainee)

Versus

Union of India through

1. The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
State Entry Road,
New Delhi.
3. The Inspector of Works,
Northern Railway,
Jind.
4. The Station Superintendent,
Northern Railway,
Maur.

... Respondents.

(By Advocate Shri R.P. Aggarwal)

O R D E R (ORAL)

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

The applicant is aggrieved by the action of the respondents in not re-engaging him in service as a casual labourer and place his name on the Live Casual Labour Register (LCLR). According to the applicant, he has worked as casual labourer for 169 days in the year 1979 and again for 44 days in the year 1990 under the respondents.

2. I have heard both the learned counsel for the parties and perused the records. Ms. Meenu Mainee,

B.

learned proxy counsel had initially prayed for another adjournment on the ground that Shri B.S. Mainee, learned counsel will make his submissions. On the same reasons, the case had been listed as Part-Heard today and in the circumstances as it is a Part Heard case, the prayer for another adjournment is not considered justified, having regard also to the issues involved in the present case.

3. Shri R.P. Aggarwal, learned counsel for the respondents has submitted that going by the averments made by the applicant that he was last employed by the respondents sometime in 1990, this O.A. which has been filed 9 years later is hopelessly barred by limitation. He relies on the judgement of the Full Bench of the Tribunal in **Mahabir Vs. Union of India & Ors.** (OA 706/96 with connected cases), decided on 10.5.2000. He has, therefore, prayed that that judgement is fully applicable to the facts and issues in the present case. The respondents have also stated that the applicant has never contacted them, as alleged by him in 1994 and 1997.

4. In the facts and circumstances of the case and having regard to the judgement of the Full Bench of the Tribunal in **Mahabir's case** (supra), I find no merit in this application, apart from the fact that the case is also barred by limitation. O.A. is dismissed. No order as to costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member(J)

'SRD'