

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.2796/1999

New Delhi, this 16th day of April, 2001

Hon'ble Shri M.P. Singh, Member(A)

1. Baleshar, s/o Sh. Paltoo
  2. Dharam Pal, s/o Sh. Bhullan
- RZ215/B, Gali No.9, Chaurasia Pan Bhandar  
Raj Nagar I, Palam Colony  
Ne Delhi .. Applicants

(By Shri M.K.Gaur, Advocate)

versus

Union of India, through

1. General Manager  
Northern Railway, New Delhi
2. Divisional Railway Manager  
Northern Railway, Moradabad .. Respondents

(By Shri Rajender Khattar, Advocate)  
Advocate)

ORDER(oral)

By the present OA, applicants seek directions to the respondents for their re-engagement as casual labours claiming that they had worked as casual labours under the respondent-Railway during the period 1977-1984 and 1980-82 respectively. It is the contention of the applicants that they have been informed by the respondents that their names have been included in the live casual labour register in accordance with Railway Board's Circular dated 28.8.87.

2. Heard the learned counsel for the parties.

3. The learned counsel for the respondents submitted that the applicants have approached this Tribunal after a period of more than 16 years. They made a representation for the first time only 21.2.99 which, however, has not been received by the respondents. He



also drew my attention to the the decision of the Full Bench of this Tribunal dated 10.5.2000 in OA No.706/1996 (Mahabir Singh & UOI) and connected cases reported in 2000(3) ATJ 1 touching upon the subject of casual labours, to contend that the present OA is not maintainable and deserves to be dismissed. In the said case the Tribunal has held that:

"Provisions of the relevant Railway Board's circular dated 25.4.1986 followed by the circular dated 28.8.1987 issued by General Manager, Northern Railway for placing the names of casual labour on the live casual labour register do not give rise to a continuous cause of action and hence the provisions of limitation contained in Section 21 of the Administrative Tribunals, 1985 would apply."

4. Having regard to the aforesaid judgement, I find no merit in the present OA and the same is dismissed. No costs.

(M.P. Singh)  
Member(A)

/gtv/