

Central Administrative Tribunal
Principal Bench

O.A.No.75/98
M.A.No.327/98

Hon'ble Shri R.K.Ahooja, Member(A)

New Delhi, this the 20th day of August, 1999

(21)

Bhim Singh
House No.47, C-Block
Laxmi Garden
Near Indira Puri Police Chowki
Delhi. ... Applicant

(By Shri H.P.Chakravorthy, Advocate)

Vs.

Union of India through

1. The General Manager
Northern Railway (HQ)
Baroda House
New Delhi. ... Respondents
2. The Divisional Railway Manager
D.R.M.Office (NR)
New Delhi. ... Respondents

(By Shri R.L.Dhawan, Advocate)

O R D E R (Oral)

The applicant claims that he worked as Casual Labour in the Northern Railway for a period of 204 days in 1978 and 45 days in 1979. On that basis he seeks the benefit of the Scheme formulated for the casual labour who were retrenched and also seeks a direction to the respondents to include his name in the Live Casual Labour Register and to offer him re-engagement and regularisation as per his seniority.

2. The OA is resisted by the respondents on the ground of limitation. I have heard the counsel. According to the Scheme of 28.8.1987 those casual labourers who were retrenched before 1.1.1981 had to file a representation to have their name included in the Live Casual Labour Register and such

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representations had to be filed before 31.3.1987.

Admittedly no such representation has been filed in this case. The learned counsel submits that the respondents thereafter have issued an order dated 9.10.1998 whereby the directions have been given to place pre 1981 casual labour enblock senior to those who were taken on the live casual labour register after 1.1.1981. This circular of no assistance to the case of the applicant as he had not filed a representation before the due date of 31.3.1987. Since his name could not be included in the live casual labour register there was no question of determining his seniority as per the aforesaid circulars.

(22)

The OA is accordingly dismissed.


(R.K. AHOOJA)
MEMBER(A)

/RAO/