

6

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA No.1578/1996, with MA 1516/96

New Delhi, this 17th day of February, 2000

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Smt. Shanta Shastray, Member(A)

1. Amarjeet Singh
2. Jassa Singh
3. Deep Singh
4. Tarlochan Singh
All working as Carpenters under
AE(CSD), Northern Railway
Dhilwan, Punjab .. Applicants

(By Shri B.S. Maine, Advocate)

versus

Union of India, through

1. General Manager
Northern Railway
Baroda House, New Delhi
2. Chief Engineer
Northern Railway
Baroda House, New Delhi
3. Dy. Chief Bridge Engineer
Northern Railway Bridge Workshop
Jullundur Cantt
4. Assistant Engineer(CSD)
Northern Railway, Dhilwan .. Respondents

(By Shri O.P.Kshatriya, Advocate)

ORDER(oral)

Hon'ble Shri Justice Ashok Agarwal

MA 1576/96 for joining together in a single
application is allowed.

2. Applicants claim to have been engaged as casual
Carpenters (Skilled Artisan) since 1975 and 1976. It is
denied by the respondents by averring that the
applicants were initially engaged as casual labourers to
assist the skilled Carpenters, after which they were
engaged as daily wage class IV Khalasis. Applicants
claim promotion to the post of highly skilled Grade II
in accordance with Railway Board's notification of 1985.
Though the claim for promotion relates to way back to 1985,
the present OA has been belatedly filed in 1996. The

L

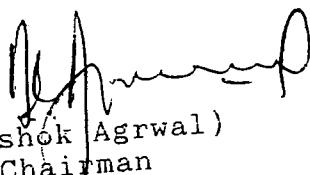
7

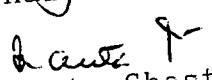
case is hopelessly barred by the law of limitation. Whereas, the applicants claim promotion in the category of Carpenter, respondents have pointed out that no jobs of Carpenter are available in CSP Unit. This unit has already been converted from wooden sleeper plant to concrete sleeper plant in 1987-88. Since the wooden sleeper plant has been disbanded and has been replaced by concrete sleeper plant, services of the carpenters have become surplus. Services of the applicants have accordingly been diverted to the concrete plant since 1987-88. Since this has been done, no claim can survive for promoting the applicants as Carpenters in the present OA.

3. In the circumstances, no reliance can now be placed on various instructions issued by the Railway Board in OMs dated 18.11.82 and 10.7.85 which provide for upgradation.. No relief can be granted in the present OA.

4. The present OA, in the circumstances, is dismissed.

No costs.


(Ashok Agrawal)
Chairman


(Smt. Shanta Shastri)
Member(A)

/gtv/