

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

O.A. No. 1348 of 1994

New Delhi this the 6th day of July, 1994

Mr. Justice S.K. Dhaon, Acting Chairman
Mr. B.K. Singh, Member

Shri Shakawat Ali
R/o House No.2365, Kuchha Chellan,
Daryaganj,
New Delhi-110002.

...Applicant

By Advocate Shri S.K. Sawhney

Versus

1. Union of India through
General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. Assistant Engineer,
Northern Railway,
Hapur, U.P.

3. Inspector of Works,
Northern Railway,
Gajroula, U.P.

...Respondents

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Acting Chairman

The allegations in the O.A. are these. The applicant worked as a casual worker under the Inspector of Works, Garh Mukteshwar at Gajroula for 593 days during the period 1.5.1980 to 14.09.1984. His services were terminated without assigning any reason.

2. The averments made in paragraph 4.5 are these:-
"That having come to know that following persons junior to the applicant in service had been given appointments in January, 1993, the applicant submitted his representation on 23.01.93, Annexure A-5, to which there is no response:

- (1) Shri Ram Singh
- (2) Shri Mahavir Singh
- (3) Shri Muna Khan
- (4) Shri Majid Khan
- (5) Shri Majid Singh
- (6) Shri Desh Raj".

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3. The prayers are:

(i) Direct the respondents to consider the applicant for appointment as persons junior to him have already been appointed under Respondent No.2.

(ii) Direct the respondents to grant the applicant the benefit of the service from the date persons junior to him were granted appointments in preference to the applicant.

(iii) Grant any other relief.

4. We have perused the contents of Annexure A-

5. This appears to be a copy of the alleged representation dated 23.1.1993 sent by the applicant to the Assistant Engineer, Northern Railway, Hapur, U.P. It is stated in the application that six persons whose names are mentioned are junior to him (the applicant), have been granted regular appointments ignoring his claim. It is significant to note that in the representation there is not even a whisper as to on what date and when the aforesaid six persons were given regular appointments ignoring the case of the applicant. It is apparent that the applicant slept over his right from 1984 to January 23, 1993 and probably on that day, viz. 23.1.1993 a representation was made merely to form the basis of this O.A. so as to bring it within limitation. We are satisfied that this is a highly belated application. We, therefore, hold that the same is barred by time. Accordingly, the O.A. is dismissed summarily.

(B.K. SINGH)
MEMBER

(S.K. DHAON)
ACTING CHAIRMAN

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