

Central Administrative Tribunal
Principal Bench, New Delhi.

OA-1987/94

New Delhi this the 3rd Day of October, 1994.

Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman(J)
Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Shri Ho Ram,
S/o Sh. Bhagwana,
R/o Alabalpur,
P.O. Basti,
Distt. Bijnore.

Applicant

(through Sh.S.P. Singh & Sh.S.N. Gupta, counsel)

versus

1. Union of India,
through the Secretary,
Ministry of Railways,
Railway Board,
Rail Bhawan,
New Delhi-1.
2. The General Manager,
Northern Railway,
Baroda House,
New Delhi-1.
3. The Divl.Railway Manager,
Northern Railway,
Moradabad Divn.,
Moradabad, (UP).
4. The Permanent Way Inspector,
Northern Railway,
Bijnore(U.P.).

Respondents

ORDER(ORAL)
delivered by Hon'ble Mr. Justice S.K.Dhaon, V.C.(J)

The prayers in substance are that
the order terminating the services of the
applicant may be quashed and the respondents
may be directed to regularise his services as a
permanent employee.

2. In paragraph 9 of the O.A. it is asserted
that the services of the applicant were terminated
with effect from 21.03.1974. Thus, the cause of
action accrued to the applicant before this Tribunal

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came into existence. An application, seeking condonation of delay has also been filed. We are not satisfied that the explanation offered for condoning the delay is sufficient. No explanation is forthcoming as to what the petitioner was doing since 1974. The first prayer must be rejected as barred by time. So far as the second relief is concerned, it is applicant's own case that he worked with the respondents only for 109 days. It is stated by the learned counsel that though the applicant did not work for 120 days, he was assured that his name would be included in the Live Casual Register. We are unable to accept this version. No such assurance can be given by any officer being contrary to law. Even if such an assurance is given, it does not bind the respondents.

3. In the result, there is no substance in the application and it is rejected summarily.

/sds /

B.N.D.
(B.N.Dhondiyal)
Member(A)

S.K.
(S.K. Dhaon)
Vice Chairman.