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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

O.A.NO.791/2000

Tuesday, this the 8th day of May, 2001

Hon'ble Shri S.A.T. Rizvi, Member (A)

Shri Vijender
S/O Shri Mool Chand
Resident of SISI Staff Quarters,
Okhla,
New Delhi.

..Applicant

(By Advocate: None)

VERSUS

1. Union of India through its Secretary
Ministry of Industry,
(Dept. of Small Scale Agro & Rural Industries),
Udyog Bhawan
New Delhi-110002.
2. The Director,
Regional Testing Centre (North Zone),
Deptt. of Industrial Development,
Shahid Captain Gaur Marg,
Okhla,
New Delhi-20.

..Respondents

(By Advocate: Shri P.P.Rehman for Shri J.B.Mudgil)

O R D E R (ORAL)

Heard the learned proxy counsel for the respondents and have perused the material placed on record.

2. The applicant was engaged through the Employment Exchange as a casual labour and started working as such w.e.f. 7.7.1993. The requisition sent by the respondents to the Employment Exchange shows that the applicant was to be employed on daily wage basis and the vacancy of a casual labour was then estimated to last about two months. However, having joined the respondents' set up, he kept on working as a casual employee with intermittent breaks right upto 18.8.1997.

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In the process, he has completed more than 240 days of service in each year of his working. This is not disputed by the respondents. On the strength of the aforesaid service, the applicant has prayed for directions to secure his reinstatement and regularisation in service.

3. The learned proxy counsel for the respondents submits that the applicant gave up the casual workers' job entirely on his own on 18.8.1987. The amount found due to him was paid up on 5.9.1997. The applicant kept on residing in the premises of the respondents' office even thereafter. However, he has failed to approach the respondents themselves by means of a representation. Instead, the applicant chose to approach the labour court and the Labour Commissioner closed the case filed by him on 10.11.1998. According to him, the applicant ought to have approached the Tribunal within the time frame stipulated in Sections 20 & 21 of the Administrative Tribunals Act, 1985 immediately after his services were terminated on 18.8.1997. He has ^{not} done so. He has also failed to approach the Tribunal within the prescribed period of one year after the closure of his case by the Labour Commissioner on 10.11.1998. Thus, the present application, according to him, is time barred in all respects and deserves to be thrown out on this ground alone. I am inclined to agree with the learned proxy counsel for the respondents and hold that the application is time barred. I have also noted that the applicant has not sought conferment of temporary status on him in accordance with the DOP&T's Scheme of 10.9.1993. Had he


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done so, a view could be taken in the matter. This aspect of the matter need not detain me, however,

4. In the circumstances, the OA is dismissed on the ground that it is hit by ^{the} law of limitation. No costs.


(S.A.T. Rizvi)
Member (A)

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