

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

OA No.1684/91

Date of decision: 28.07.1993.

Shri Prem Singh

...Petitioner

Versus

Union of India through
General Manager, Northern
Railway, Baroda House,
New Delhi & Another

...Respondents

Coram:-

The Hon'ble Mr. I.K. Rasgotra, Member (A)
The Hon'ble Mr. B.S. Hegde, Member (J)

For the petitioner

None.

For the respondents

Shri H.K. Gangwani, Counsel.

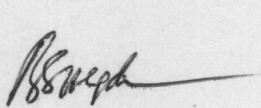
Judgement(Oral)
(Hon'ble Mr. I.K. Rasgotra)

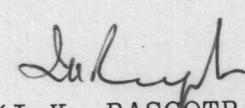
The case of the petitioner is that he was engaged as a Substitute Porter by the Station Master, Khurja Junction. He was employed there from 13.2.1980 to 15.4.1980. He was re-engaged as a Hot Weather Waterman at the same station w.e.f. 20.4.1980 to 14.8.1980. He claims that he should have been considered for reengagement in accordance with Railway Board's circular dated 4.9.1980 and circular letter dated 22.10.1980 referred to in paragraph 4 (iv) and (v) of the application. He further contends that his name should have been placed on the live casual labour register as per Railway Board's circular dated 12.6.1987 referred to in paragraph 4 (vi) of the O.A. The petitioner is stated to have made representation to the respondents for reengagement in accordance with his seniority but he was not given any appointment. By way of relief he has prayed that the respondents should be directed to place his name on the live casual labour register and

to reengage him from the date his juniors have been engaged.

2. The stand of the respondents is that according to the information obtained from the Station Superintendent, Khurja vide his letter No.SS/KRL/CL/92 dated 12.2.1992, the petitioner has worked as a casual Waterman during the period w.e.f. 22.4.1980 to 14.8.1980. There is no other record available in the office of Station Superintendent, Khurja indicating that he was engaged as a casual labour. The petitioner never made any effort thereafter to contact the respondents for seeking re-engagement. The learned counsel for the respondents Shri H.K. Gangwani therefore, urged that the matter has been taken up by the petitioner at a highly belated stage and is stale. The petition is, therefore, barred under Section 21 of the Administrative Tribunals Act, 1985. He also contended that the Tribunal has no jurisdiction in the matter, as the cause of action arose prior to 1.11.1982.

3. We have considered the submissions made by the learned counsel for the respondents carefully. Since the cause of action arose in August, 1980, we are of the opinion that the Tribunal has no jurisdiction to entertain the matter at this belated stage. Accordingly the O.A. is dismissed. No costs.


(B.S. HEGDE)
MEMBER(J)


(I.K. RASGOTRA)
MEMBER(A)

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