

In the Central Administrative Tribunal  
Principal Bench: New Delhi

OA No. 1799/92  
MP 2000/92

Date of decision: 26.03.1993.

Shri Soraj

...Applicant

Versus

Union of India & Others

...Respondents

Coram:-

The Hon'ble Mr. I.K. Rasgotra, Member (A)  
The Hon'ble Mr. C.J. Roy, Member (J)

For the applicant

Shri B.K. Batra, Counsel.

Judgement(Oral)

(Hon'ble Mr. I.K. Rasgotra, Member (A))

Heard the learned counsel for the petitioner.

The case of the petitioner is that he was disengaged from service in 1984. He made a representation but he has not been called for engagement. In support of his case the learned counsel referred us to a photo copy of some OM (of which the first page is not annexed), according to which the Railway administration is to maintain a live casual labour register with full particulars. It further stipulates that "the Railway Board have decided that the names of each casual labour who was discharged at any time after 1.1.1981 on completion of work or for want of further productive work, should continue to be borne on the Live Casual Labour Registers, and if the names of certain such labours have been deleted due to earlier instructions these should be restored on the Live Casual Labour Registers." The said circular nowhere laid down that anyone who has been discharged after 1.1.1981 should be taken back as casual labour. Since the petitioner was discharged from service in 1984 the matter is barred by limitation in accordance with Section 21 of the Administrative Tribunals Act, 1985. The circular produced



by Shri Batra the learned counsel does not give any legal right to the petitioner for re-engagement. All that it requires is that the name of the petitioner should be borne on the live casual labour register. It is not the case of the petitioner that his name has not been kept on the live casual labour register. Since the matter is time barred, we are not persuaded to issue any direction to the respondents. However, if the petitioner files a representation with the respondents the respondents may consider to place his name on the live casual labour register in accordance with the rules.

With the above observations the O.A. is dismissed. No costs.

Consequently MP stands disposed of.

*Wesley*  
(C.J. ROY)  
MEMBER(J)

*Shaykh*  
(I.K. RASGOTRA)  
MEMBER(A)

San.