

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 1179 of 1996

Allahabad this the 26th day of August, 2003

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.  
Hon'ble Mr. D.R. Tiwari, Member (A)

Iqbal Ahmad S/o Sri Subrati, r/o Railway Colony,  
Prayag Station, S.E./3-A, Allahabad.

Applicant

By Advocate Shri A.K. Srivastava

Versus

1. Union of India through its Secretary, Ministry of Railway, New Delhi.
2. General Manager, Northern Railway, Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway, D.R.M. Office, Lucknow.

Respondents

By Advocate Shri G.P. Agarwal

O\_R\_D\_E\_R( Oral )

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A. under Section 19 of the Administrative Tribunals Act, 1985 the applicant has prayed for a direction to the respondents to appoint the applicant on the post of Khalasi or any class IV post whenever vacancy is available.

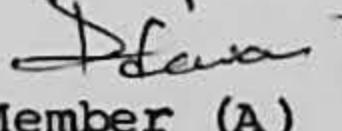
2. Basis for the aforesaid relief is that the applicant had worked in broken spells from 25.12.88 to 15.03.89, 20.04.89 to 08.05.89, 16.04.90 to 15.05.90 and 06.05.91 to 13.05.91. This period

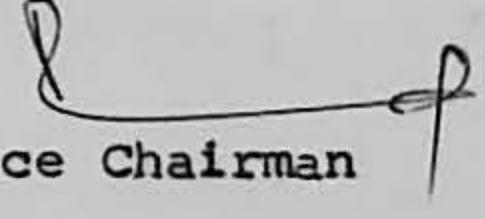
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has been mentioned in para-2 of the representation filed by the applicant, which is annexure-3 to the O.A. From the perusal of the period mentioned by the applicant, it appears that he has not worked continuously in any spell for more than 120 days, <sup>on</sup> ~~on~~ basis <sup>dependent</sup> ~~dependent~~ which could <sup>not</sup> ~~not~~ confer <sup>upon</sup> ~~upon~~ him temporary status.

After the year 1991, the applicant has not worked in any capacity. It has also come on record that the screening took place for absorbing the casual workers on regular basis. In this screening, applicant was found unfit by selection committee on 30.01.93. The result of selection committee has not been challenged in the present O.A. No relief has been sought against the same. In the circumstances, it is difficult to give direction, as prayed for by the applicant. This O.A. has been filed in the year 1996. The O.A. is accordingly dismissed with no order as to costs.

  
Member (A)

  
Vice Chairman

/M.M./