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OPEN COURT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
ADDITIONAL BENCH, AT ALLAHABAD

\* \* \*

Allahabad : Dated this 15th day of October, 1996

Original Application No.181 of 1996

District : Jhansi

CORAM:-

Hon'ble Mr. S. Das Gupta, A.M.

Hon'ble Mr. T.L. Verma, J.M.

Mohd Raza S/o Shri Mohd. Farooqui,

R/o 168/3, Sijariya Colony,

Darigram, Jhansi.

(By Sri Rakesh Verma, Advocate)

. . . . .Petitioner

Versus

1. Union of India through General Manager,  
Central Railway,

Bombay V.T.

2. The Divisional Railway Manager,

Central Railway, Jhansi.

(By Sri G.P. Agarwal, Advocate)

. . . . .Respondents

ORDER

By Hon'ble Mr. S. Das Gupta, A.M

This application was filed challenging an order dated 6-9-1995 by which a representation of the applicant for appointment in the "loyal quota" has been rejected. The prayer in this application is that the said order be quashed and the respondents be directed to consider the case of the applicant for appointment in the said quota.

2. The applicant had earlier approached this Tribunal

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stating that he is a son of a railway employee who did not participate in the railway strike in 1974 and, therefore, was entitled to certain benefits which were granted to the ~~loyal~~ <sup>loyal</sup> workers. One of the benefits was that a son or daughter of the loyal worker would be given appointment in the so called loyal quota. The orders in this regard were issued in 1974. The applicant, however, could not take advantage of this benefit as he was minor at that time. It was stated that on attaining the age of majority, he approached the respondents but they did not pay any heed to his representation. The earlier OA was disposed of with a direction to the respondents to consider the aforesaid representation. The said representation has now been considered and rejected by the impugned order dated 6-9-1995.

3. Several benches of this Tribunal have decided number of similar cases. The view taken by all the benches is that the right of the applicant<sup>s</sup>, even if they had any, when the Railway Board order was issued, cannot be enforced after so many years. All the similar OAs have been dismissed on the ground that the right which may have accrued to the applicants for appointment in the loyal quota, cannot be an open ended one.

4. The learned counsel for the applicant had earlier submitted that the Chandigarh Bench of the Tribunal had taken a different view of giving relief to the similar applicants. Today, when this case came up for admission, he submitted that the Hon'ble Supreme Court has since upheld the decision of this Hon'ble Tribunal dismissing the similar applications and, therefore, he does not want to

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derive any further assistance from the Chandigarh Bench's decision.

5. In view of the foregoing, this application is dismissed in limine.

*J. Sharma*  
Member (J)

*W. C.*  
Member (A)

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