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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.
****

Allahabad this the 15 day of October 1996.

Original application No. 182 of 1996.

Hon'ble Dr. R.K. Saxena, JM
Hon'ble Mr. D.S. Baweja, AM

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M.A. Khan, a/a 22 years,
S/o Sri Sultan Khan, R/o
House No. 107, Nanakganj,
Sipri Bazar, Jhansi.

..... Applicant.

C/A Sri Rakesh Verma

Versus

1. Union of India through General
Manager, Central Railway, Bombay V.T.

2. The Divisional Railway Manager,
Central Railway, Jhansi.

...... Respondents.

C/R Sri G.P. Agarwal

ORDER (ORAL)

Hon'ble Dr. R.K. Saxena, JM
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This O.A. has been filed by one M.A. Khan seeking the appointment based on loyal quota. The brief facts of the case are that the father of the applicant Sultan Khan was working as Khalasi in the year 1974 when the Union of the Railway employees had given a call for strike. The father of the applicant did not participated in the strike because the assurance was given to the employees who did not take part in the strike to be benefited by extending the period of retirement by six months to 12 months, increment be given and the children of those employees who did not participated in the strike shall be given preference in the employment. It is said that the
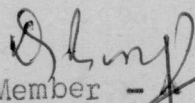
father of the applicant had not participated in the strike
and therefore he was entitled for the benefits. The
applicant who is son of the loyal employee Sultan Khan
is seeking employment.

2.   Before the O.A. being admitted, notices were
issued to the respondents but no counter reply has been
filed.

3.   In other matters of this nature, this Tribunal
has taken the view that the claim of employment on the basis
of the father or guardian of the applicant being loyal
during the strike period was against the Constitutional
provisions. The result was that the O.A. were dismissed.

4.   In this case also the relief sought is
based on the fact that the father of the applicant has
rendered services during strike and therefore his son —
applicant, was entitled to be given job. We are of the
view that such a demand is unconstitutional and therefore
O.A. does not remain maintainable. It is therefore
dismissed.

Member - A   Member - J

Arvind.