

OPEN COURT

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
ADDITIONAL BENCH AT ALLAHABAD

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Allahabad : Dated this 26th day of March, 1996
Original Application No. 234 of 1996
DISTRICT : Varanasi

CORAM:-

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

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

1. Umesh Prasad Gupta Son Shri Raja Ram Gupta
R/o T-1B, Guard Running Room
Colony, Varanasi Cantt.

2. Sunil Kumar Tiwari Son of Shri Jagdish Tiwari,
R/o Shivedaspur, Vidyapeeth Block Road,
Lahartara, Varanasi.

.....Petitioners

Versus

1. Union of India through the General
Manager, Northern Railway, Baroda House,
New Delhi.

2. The Divisional Railway Manager,
Northern Railway, Lucknow.

.....Respondents

O R D E R (O_R_A_L_)

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

This application has been filed under Section 19
of the Administrative Tribunals Act, 1985, seeking a

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direction quashing the order dated 27-7-1995 passed by respondent no.2 rejecting the request of the applicants to appoint them on any suitable post under loyal quota and also to issue a direction to respondent no.2 to consider the applicants for appointment under loyal quota and in case they are found fit, they be appointed on any suitable post.

2. Both the applicants are stated to be sons of railway employees who did not participate in the railway strike in 1974. It is stated that such loyal workers who did not participate in railway strike were given assurance that a son/ward of such employee shall be given employment under the railway under the so called loyal quota. The applicants were minor in 1974 and as such could not avail of the concession given to the loyal workers. On attaining the age of majority they represented for the aforesaid dispensation but to no avail. The applicants thereafter filed an O.A. No.459/95 which was disposed of by a direction to the respondents to consider and dispose of the representation dated 20-5-1994 stated to have been submitted to the Divisional Railway Manager, Northern Railway, Lucknow. The representation has since been considered and rejected by the impugned order dated 27-7-1995, a copy of which is at Annexure-A-1. It is this order which has been challenged by the applicants in the OA seeking the aforementioned relief.

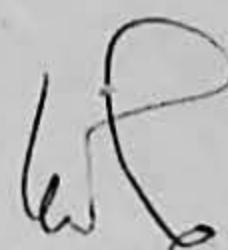
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3. We have carefully considered the matter. The assurance for appointment of sons/wards of loyal employees was given as far as back ^{as} in 1974. Such assurance cannot be an open-ended one which could be enforced after a lapse of more than twenty years. Moreover, it would appear from the impugned order that the father of the applicant was actually granted a special increment on 1-6-1974 which was one of the alternative reward allowed to the so called loyal workers. We do not consider it necessary to obtain any reply from the respondents as we are of the view that after more than 20 years an assurance given by the respondents can hardly be enforced.

4. In view of the foregoing we do not find any merit in this application and the same is dismissed summarily.



Member (J)



Member (A)

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