

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 19th day of February 2003.

QUORUM : HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.
HON. MAJ. GEN. K. K. SRIVASTAVA, A.M.

O.A. No. 1106 of 1996

1. Ashok Kumar S/O Shankar R/O C.33/220, Chandua Chhittupur, Varanasi.
2. Suresh Mehta S/O Ram Autar Mahto R/O Vill. Hastwa, P.O. Katiyar, District Gopal Ganj, Bihar.
3. Bachey Lal Sonkar S/O Pyare Lal Sonkar R/O S/1/31, Narainpur, Varanasi.
4. Kailash Nath Sonkar S/O Tara Prasad Sonkar R/O D.65/500, La-hartara, Varanasi.
5. Rameshwar Prasad S/O Pachu Pilari Mirzamurad, Varanasi.
- Applicants.

Counsel for applicants : Sri R.K. Tiwari.

Versus

1. Union of India through Ministry of Railway, New Delhi.
2. Divisional Railway Manager, N.E.R., Varanasi.
3. General Manager (P), N.E.R., Gorakhpur.
4. Ranjeet S/O Dukhti Ram. {
5. Habib S/O Imanuddin. { C/O Inspector Works, N.E.R.,
6. Dhakhandi S/O Jagdeva. { Varanasi.
7. Munsi Yadav S/O Rama Yadav. {
- Respondents.

Counsel for respondents : Sri S.K. Anwar.

ORDER (ORAL)

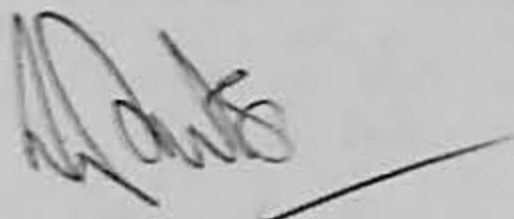
BY HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.

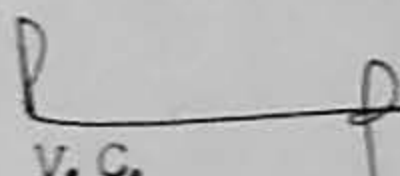
By this O.A. Under Section 19 of A.T. Act, 1985, the applicants have prayed that the respondents may be directed to engage the casual labours in accordance with their seniority. The second prayer is to engage/appoint the applicants as juniors to them have been appointed. From the narration of the facts stated ^{in para 2} ~~above~~ it appears that the applicants never worked on their post after 1981. In para

4(e) of the O.A., it ^{is stated} ~~appears~~ that the cause of action arose in 1995 when the respondent Nos.2 and 3 started appointing casual labours on the vacant post arbitrarily and against the provisions of Railway Establishment Manual and the juniors to applicants were preferred.

2. This O.A. was filed on 8.10.1996 i.e. after about 15 years. The applicants had stopped working with the railways ^{in 1981}. The application is highly belated. We do not find any explanation for such long and inordinate delay. On this ground along the O.A. is liable to be dismissed. Accordingly the O.A. is dismissed.

No order as to costs.


A.M.


V.C.

Asthana/