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CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 14TH DAY OF MAY, 2002

Original Application No.335 of 1997

CORAM:

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

HON.MR.C.S.CHADHA, MEMBER(A)

1. Sukhai, son of Jamuna, ~~Rxexxixkage~~
2. Ram Karan, son of Sitaram
3. Prahlad, son of Molhu
4. Babu Lal, son of Mukut
5. Ram Agya, son of Santa

All are residents of village Karmaha
Buzurg, Tola: Reharwa, Post
Kuntakhas, District Gorakhpur.

.. Applicants

(By Adv: Shri S.Mukherjee)

Versus.

1. The Union of India through
the General Manager, North
Eastern Railway, Gorakhpur.
2. The Deputy Chief Engineer,
Gorakhpur Area, North Eastern
Railway, Gorakhpur.

Respondents

.. Respondents

(By Adv: Shri Amit Sthalekar)

O R D E R(Oral)
JUSTICE R.R.K.TRIVEDI, v.c.

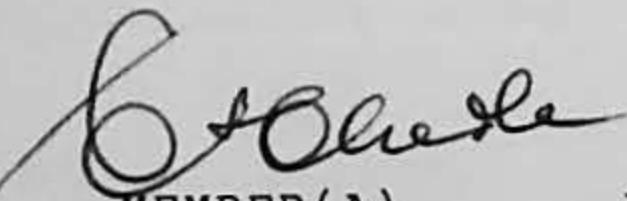
By this OA u/s 19 of A.T.Act 1985 applicants have
prayed for adirection to the respondents to re-engage
them and regularise their services. It has also been
prayed that the respondents may be directed to pay
allowances w.e.f. the date from which their juniors
specially Kesari Nandan Pandey has been granted. The
basis for the aforesaid claim is that the applicants
had worked for 240 days before 1.1.1980.

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Resisting the claim of the applicant counter affidavit has been filed. In para 3 whereof it has been stated that the applicants have not worked. There is no record available to ascertain that they worked anywhere under North Eastern Railway and the present application is liable to be dismissed as time barred. It has also been said in the counter that the orders were passed in OA 358/89 and OA 61/92 and the applicants of these cases were absorbed after medical fitness against existing vacancies. SC/ST candidates were appointed by various office orders. With regard to Kesari nandan Pandey it has been stated that his appointment has been done with the prior personal approval of General Manager on the specific post of substitute Chain Man, as such he may not be compared with the applicants.

In the facts and circumstances narrated above, applicants are not entitled for relief. The OA has no merit and is accordingly dismissed. No order as to costs.


B. Chatterjee
MEMBER(A) 
VICE CHAIRMAN

Dated: 14.5.2002

Uv/