

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL : ALLAHABAD BENCH
ALLAHABAD

....

Dated : ALID. on this 8th Day of September 1997.

CORAM : Hon'ble Mr Justice B C Saksena, V C
Hon'ble Mr S Das Gupta, A.M.ORIGINAL APPLICATION NO.885 OF 1997.

- (1) Radha Krishna Tiwari, S/o Bachcha Lal Tiwari, C/o Sudhakar Tiwari, 23/32, Ramanand Nagar Allapur, Allahabad.
- (2) Mohd. Nazim Khan S/o Mohd Hanif Khan r/o C/o Mohd Mobin Khan, 657 Laco Colony, Allahabad.
- (3) Kanchan Saran Verma, S/o Shri Laxmi Charan Verma, Shiv Ganj, District Arrah Bhojpur (Bihar).

... .. Applicants

C/A Shri V K Srivastava

Vs.

- (1) Union of India, through its General Manager, Northern Railway, Baroda House New Delhi.
- (2) Divisional Rail Manager Northern Railway, Lucknow
- (3) Deputy Chief Commercial Manager Northern Railway, Railway Station Building, Varanasi.

... .. Respondents.

C/R

ORDER (ORAL)(By Hon'ble Mr Justice B C Saksena, V.C.)

We have heard the learned counsel for the applicant for order on admission of O.A. The applicants appear to have been selected for the post of Goods Clerk in the grade of Rs.975-1540/- in a panel dated 4.12.83. He was also subjected

1/ B.C.2/-

to training and was temporarily posted as per requirement in summer season. Subsequently, since there was no vacancy of Goods Clerk on any division against direct recruitment quota, applicants and other selected candidates were required to give their option for the post of Office Clerk in the grade of Rs.950-1500/-. The request was accepted and the category from Goods Clerk to Office Clerk has been changed. Applicant has also required to give option for the said post. This was done by a letter dated 07.10.1987. The applicants through this O.A. ingenuously do not challenge the validity of this letter dated 7.10.1987 but at the same time have sought relief of mandamus commanding the respondents to post him in the pay scale of Rs.975-1540/- and provide the benefit of revised pay scale as admissible under the rule. In the absence of any challenge to the letter dated 7.10.1987, applicants cannot be granted relief as prayed for. Applicants were perhaps aware that the order passed in 1987, cannot be challenged by them in the year 1997 after a lapse of 10 years especially when on their own request change of category has been made.

2. The O.A. is dismissed as being highly barred by limitation and also lacking any merit.



A.M.



V.C.

/snt/