

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 163 of 1998

Allahabad this the 25th day of July, 2003

Hon'ble Mr. Justice R.R.K. Trivedi, V.C.
Hon'ble Mr.D.R. Tewari, Member (A)

Gyan Prakash Misra S/o Chandra Dutta Misra, R/o
Pitamberganj, Hardoi.

Applicant

By Advocate Shri B.K. Srivastava

Versus

1. Union of India through Ministry of Railway/
Railway Secretariate, New Delhi.
2. The General Manager, Northern Railway, Baroda
House, New Delhi.
3. The Divisional Railway Manager, Northern Rail-
way, Moradabad.
4. The Assistant Personnel Officer(N), Divisional
Railway Manager's Office, Northern Railway,
Moradabad.
5. The S.S.F.(C&W), Northern Railway, Moradabad.

Respondents

By Advocate Shri Prashant Mathur

ORDER (Oral)

By Hon'ble Mr. Justice R.R.K. Trivedi, V.C.

By this O.A. under Section 19 of the
Administrative Tribunals Act, 1985 the applicant
has prayed for a direction to the opposite party
to absorb the applicant on any class III category
in railway department on permanent basis within

a reasonable time. The aforesaid claim of the applicant is based on the fact that he had worked as casual Booking Clerk from 01.03.1986 to 31.05.86 in Kumbh Mela organised at Haridwar. This O.A. has been filed on 09.02.1998 i.e. after about 12 years from the date of alleged working of the applicant. Resisting the claim of the applicant

counter-affidavit has been filed, in para-7 it has been said that the claim is vague and there is nothing on record to show that the applicant had worked during the period from 01.03.1986 to 31.05.1986. Shri Prashant Mathur, counsel for the respondents has also submitted that the O.A. has been filed after long and inordinate delay and the applicant is not entitled for any relief. He has placed reliance on the Full Bench Judgment by the Principal Bench of this Tribunal in O.A.No.706 of 1996 decided on 10.02.2000 Mahabir Vs. U.O.I. & Ors. the Judgment of Hon'ble Supreme Court in the case of Ramesh Chandra Sharma Vs. Udhham Singh Kamal 2000 S.C.C. (L&S) 53 and Full Bench Judgment of Delhi High Court in 2002(3) E.S.C.(Delhi) 576 Jagdish Prasad Vs. Union of India and Ors.

3. We have considered the submissions. The present O.A. is squarely ^{correctly} applicable by the Judgments mentioned above. There is long and inordinate delay, which has not been explained by the applicant.

Successive representations moved by the applicant ^{could} not extend the period of limitation. In the circumstances, the O.A. is dismissed as time barred.

No order as to costs.