

(Reserved)

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

ORIGINAL APPLICATION NO. 1067 OF 1998

Allahabad, this the 15th day of April, 1999.

CORAM : Hon 'ble Mr.S.Dayal, Member (A)
Hon 'ble Mr.S.K.Agrawal, Member (J)

1. Aniruddh Rai, S/o. Sri Ram Bachan Rai,
R/o. Village Bemuaao, Post Asaon,
District Ghazipur.
2. Daya Shanker Rai, S/o. Sri Ram Deo Rai,
R/o. Village Pipraulli, Tehsil Zamania,
District Ghazipur.
3. Rang Nath Rai Rajbhar, S/o. Bishwanath,
R/o. Pipraulli, Tehsil Zamania,
District Ghazipur.

.....Applicants.

(By Shri Rajesh Kumar Srivastava, Advocate)

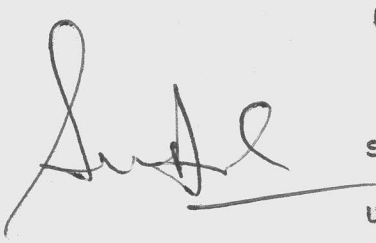
Versus

1. The Divisional Rail Manager,
Eastern Railway, Danapur.
2. The General Manager,
Eastern Railway,
Calcutta.

.....Respondents

ORDER (Reserved)

(By Hon 'ble Mr.S.K.Agrawal, Member (J))

In this original application the applicants are seeking directions to respondents to employ the applicants under the quota for Loyal Workers as notified by Railway Administration vide its circular dated 18-5-74.

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2. In brief, the case of the applicants is that father of applicant No.1 who was appointed as Keyman in Eastern Railway and father of applicant No.2 who was initially appointed as Keyman on 18-10-64 and retired on 1-1-1996 and father of applicant No.3 appointed as Gangman on 20-4-65 and retired on 31-1-98 did not participate in the strike sponsored by Railway Employees in May, 1974. It is stated by the applicants that they have filed representations at Annexure-I, 2 and 3, and also filed representations at Annexures-4, 5 & 6 after the directions in O.A. 1383 of 1993, but respondents have not given employment to the applicants. It is stated that several persons have been appointed by respondents in pursuance of notification dated 18-5-74 therefore they are also entitled to the relief sought for.

3. A Supplementary Affidavit have been filed by the applicants.

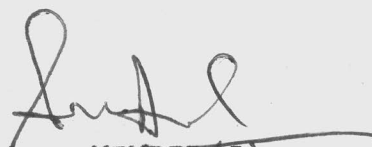
4. Heard the arguments of the learned lawyer for the applicants and perused the whole record.

5. In catena of judgments this Tribunal held that claim of the applicants for Loyal Quota with reference to the circular dated 18-5-74 is not maintainable. In O.A.No.368, 395, 105, 1075, 1076 & 1078/91 in which a common judgement was pronounced on 8-12-94. The claim for Loyal Quota was held to be not maintainable as it was time barred. In Delhi Development Horticulture Employees Union Vs. Delhi Administration reported in 1992 (21) (A.T.C.) 386 Apex Court has deprecated the tendency of backdoor entry into the service.

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The circular was issued in the year 1974 and applicants after twenty four years have approached this Tribunal. Therefore the applicants cannot be permitted to raise this issue and make such a stale claim after such a long time.

6. Therefore, this original application is not maintainable and we dismiss the same in limine.


MEMBER (J)


(MEMBER (A))

/satya/