

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Dated: This the 05<sup>th</sup> day of FEBRUARY 2008.

ORIGINAL APPLICATION NO. 1626 OF 2001.

Hon'ble Mr. Ashok S. Karamadi, Member (J)

1. Lal Bahadur Chauhan, S/o Sri H.M. Chauhan, R/o Village Nawalpur 'Ratohi' Post Office Kirat Sarai (Haldharpur), Distt: Mau.
2. Virendra Ram, S/o Sri Shankar Ram, R/o Vollage Mithanuwa, Post Office Aurain Kala, Distt: Ballia.

.....Applicants

By Adv: Sri B.P. Srivastava

Versus.

1. The Union of India through General Manager, Eastern Railway, Gorakhpur.
2. The Divisional Manager, Eastern Railway (Karmik).

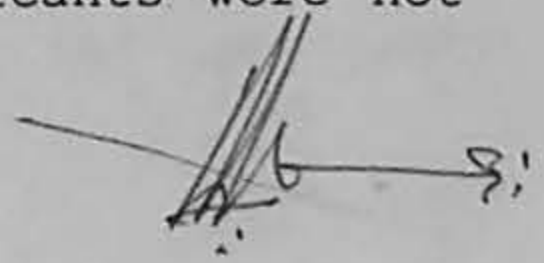
.....Respondents

By Adv: Sri S.K. Anwar

ORDER

This OA has been filed seeking direction to the respondents to absorb the applicants on any Class IV posts considering their experiences and other reliefs.

2. The brief facts of the case are that the applicant No. 1 has worked for more than 419 days as stated and the last date of working of the applicant No. 1 is 18.11.1988 and with regard to applicant No. 2 he has worked for 266 days and his last date of working is 30.11.1988. As applicants have worked continuously, the services of the applicants were not



regularized by the respondents. Therefore, this OA is filed seeking above direction.

3. On notice, the respondents have filed counter affidavit. In the counter affidavit it is stated that the statement made by the applicants with regard to the period of working is not correct. On verification of the record of the office and further it is stated that the approach of the applicant is belated and in the absence of the material produced by the applicants in support of their contention it cannot be accepted and sought for the dismissal of the OA.

4. <sup>I</sup>~~We~~ have heard Sri B.P. Srivastava learned counsel for the applicant and Sri S.K. Anwar learned counsel for the respondents, perused the pleadings and material on record.


5. Having regard to the statement made by the learned counsel for the applicant in the OA itself clearly goes to say that applicant No. 1 had worked upto 18.11.1988 and applicant No. 2 had worked upto 30.11.1988. Having regard to the same it is clear that this OA is filed on 31.05.2001. In the absence of any proper application for condonation of delay in approaching this Tribunal for seeking relief whether the relief can be granted or not is the question and also on merit of the case the applicants contention was negatived by the respondents that the applicants





have not produced proper material which are acceptable and the statement made are not correct. In view of these I do not find any justification to consider the case of the applicants for grant of relief as the applicant have failed to satisfy with regard to the condonation of delay in approaching this Tribunal and otherwise also there is no case of the applicant for granting any relief on merit.

6. In view of the above reasons the OA is dismissed.  
No costs.



Member (J)

/pc/