

(2) (3)

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Dated : This the 31st day of MARCH 2005

Original Application no. 106 of 2005

Hon'ble Mr. K.B.S. Rajan, Member J
Hon'ble Mr. D.R. Tiwari, Member A

Uma Shanker , S/o Sri Som Dutt,
R/o Vill Khoh, Post Office Karvi,
Distt: Chitrakoot.

...Applicant

By Adv : Sri K.D. Tripathi

V E R S U S

1. Union of India, through the General Manager,
Central Railway, Head Office,
ALLAHABAD.
2. Divisional Railway Manager,
North Central Railway,
JHANSI.
3. Divisional Engineer Railway, Jhansi Division,
JHANSI.

... Respondents.

By Adv : Sri D. Awasthi

O R D E R

By D.R. Tiwari, AM

This OA, filed under Section 19 of the A.T. Act, 1985, is directed against the impugned order dated 25.11.2004.

2. The case of the applicant is that he was issued Casual Labour Card on 04.02.1991. However, he could not be engaged thereafter. In the year 1998, the applicant filed OA no. 798/98 before this Tribunal,

D.R. Tiwari

(2)(u)

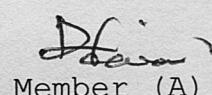
in which direction for engaging the applicant on his turn was passed. Again he approached the Tribunal for the same purpose. This time also the Tribunal passed order dated 12.08.2004 with a direction to the D.R.M., N.C. Railway, Jhansi Division for considering and deciding the representation of the applicant within a period of three months by a reasoned and speaking order from the date of communication of that order. Accordingly, the Competent Authority passed the instant impugned order. The impugned order is speaking and detailed. The main reason for rejecting the request for the applicant is that he was born on 16.11.1958 and he belongs to General Category. According the Railway Board's instructions the cut off date of a general candidate was 40 years and he was averaged at the time of applying for regularization in a Group 'D' category. Accordingly his representation was rejected.

3. In the circumstances we find no justifiable reason to interfere with the impugned order. The OA is devoid of merit and the same is dismissed accordingly.

4. There shall be no order as to costs.



Member (J)



Member (A)

/pc/