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Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD.

ORIGINAL APPLICATION NO. 241 OF 2005.

This the 17th day of November, 2005.

HON'BLE MR. K.B.S. RAJAN, MEMBER-J

Abrar, S/o Sri Safiq, R/o Village Salempur Bhatta,
Post Balawali, Nazibabad, Bijnor.

.....Applicant.

By Advocate : Sri Shyam Ji Gaur. (Absent)

Versus.

1. Union of India through G.M. N.C.R.,
Allahabad.
2. Divisional Railway Manager, N.C.R.,
Allahabad.
3. Chief Way Inspector, North Central Railway,
Nazibabad, Bijnor.

.....Respondents.

By Advocate : Sri D.S. Shukla.

O R D E R

None for the applicant even after revision of list. I have heard the counsel for the respondents. This O.A. is being decided in terms of Rule 15(1) of the CAT (Procedure) Rules 1987 after perusing the pleadings.

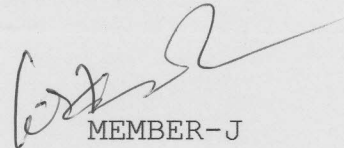
2. This application has been filed praying for a direction to the respondents to take the applicant back in service and to regularize his services as a Casual Labour. The applicant had worked upto 14.3.1984 and not thereafter. The respondents have

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raised the preliminary objection regarding limitation. They have referred to the judgment of the Apex Court in Civil Appeal no. 3119/97 reported in 2000 (1) ATJ 178.

3. In the said judgment, the apex court has held that when application for condonation of delay is not filed as required under Section 21(3) of the A.T. Act, the individual cannot be permitted to file the O.A.

4. Having considered the case in the light of the above dictum of the apex court, this O.A. is dismissed being barred by limitation. No costs.


MEMBER-J

Girish/-