

(OPEN COURT)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the 26TH day of MAY, 2008.

HON'BLE MR. N.D. DAYAL, MEMBER- A

ORIGINAL APPLICATION NO. 686 OF 2005

1. Chhote Lal, S/o Sri Ram Naresh,
R/o Auta, Tehsil- Meja, Distt. Allahabad.
2. Baikunth Prasad, S/o Sri Videshi,
R/o Nevadhiya, Tehsil- Meja, Distt. Allahabad

.....Applicants.

VE R S U S

1. Union of India through General Manager,
North East Railway, Lucknow.
2. The Deputy Chief Engineer (Construction),
North East Railway, Lucknow.
3. The Senior Divisional Engineer, N.E. Railway, Lucknow.
4. The Inspector of Works (Construction),
N.E. Railway, Lucknow.

.....Respondents

Counsel for the Applicants:

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Present for the Respondents :

Sri Anil Kumar

ORDER

This matter is listed for hearing and is taken up under rule 15 of C.A.T (Procedure) Rules, 1987 as none has appeared for the applicants.

2. Sri Anil Kumar learned counsel for the respondents submits that as per order recorded on 15.07.2005 the cause of action arose 15 years ago and there is no application for condonation of delay filed despite opportunity given. In this matter there are two applicants. Both of them

(7)

were casual labourers. They were initially engaged in 1976 and 1978 and their services were discontinued in 1982 and 1987 respectively, allegedly by verbal orders and thereafter they moved several representation but they are aggrieved that neither they were reengaged and provided job nor they were permanently absorbed in the department. Therefore, they have assailed their disengagement. The applicants have pointed out in the O.A that they had worked for more than 1000 days, therefore, they should have been granted temporary status and should be treated as such. However, learned counsel for the respondents submits that their services were discontinued way back in 1982 and 1987 respectively without being accorded temporary status. Besides being over 50 years of age, their eligibility is also in doubt on that account.

3. In these circumstances it is submitted that the prayer of the applicants, who were casual labour, for setting aside verbal termination/disengagement and to give them work and wages as well as regularization in due turn does not carry any weight and the O.A is also barred by limitation. I am inclined to agree with the respondents that the applicants have not made out any acceptable case for acceding to their prayer.

4. In view of the above having heard learned counsel for the respondents and perused the pleadings, the O.A is dismissed. No costs.



MEMBER-A.

/Anand/