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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHBAD BENCH
ALLAHABAD

Dated: this the 05th day of August 2008

Original Application No.884 of 2005

Hon'ble Mr. A.K. Gaur, Member (J)

Chandra Bhan, S/o Shri Siya Ram, R/o 360 Pathakyana
Mohalla, Babina, Distt: Jhansi.

...Applicant

By Adv : Shri R.K. Nigam

Versus

1. Union of India, General Manager, North Central Railway, Allahabad.
2. Divisional Railway Manager, North Central Railway, Jhansi.

...Respondents.

By Adv : Shri S.K. Chaturvedi

O R D E R

Sri S.M. Ali brief holder of Sri R.K. Nigam learned counsel for the applicant and Shri S.K. Chaturvedi learned counsel for the respondents.

2. Through this OA the applicant seeks following reliefs:

"i. to issue a writ, order or direction in the nature of Mandamus thereby commanding the Respondents to immediate consider the petitioner for screening/absorption for which a time bound direction is fervently prayed.

ii. to issue any other suitable order in favour of the humble petitioner as deemed fit by this Hon'ble Tribunal in the facts and circumstances of the case.

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2. According to the applicant his date of birth is 15.01.1961 and at the time of consideration of his

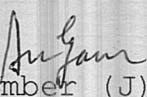
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case on date of notification dated 30.08.2001, the applicant is aged about 41 years and 6 months. Admittedly, he is over aged by six months. Learned counsel for the applicant vehemently argued that in response of the notification dated 30.08.2001 the applicant submitted his bio-data through Depot Incharge in the office of respondent No. 2.

3. On the other hand Shri Chaturvedi submitted that from the OA it is clearly evident from Annexure 4 that the bio-data was sent through registered post directly and not through Depot Incharge. Learned counsel for the respondents further submitted that according to the own admission of the applicant he was over-aged on the date of notification dated 30.08.2001.

4. Having heard the parties counsel at considerable length I am fully satisfied that the applicant was over-aged at the time of consideration of in his case for regularisation, in view of the notification dated 30.08.2001. I have also considered the arguments advanced by the learned counsel for the respondents Shri S.K. Chaturvedi that the application was not duly forwarded through Depot Incharge of the concerned Depot, and after perusal of the record no case is made out for interference. The OA is accordingly dismissed. No cost.



Member (J)