

(3)  
92

Reserved

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD.

Registration no. B-126 of 1986.

Ranjeet Kumar Singh .... Applicant.

Versus

Union of India and others. .... Respondents.

Hon'ble D.S.Misra-Member-A

Hon'ble G.S.Sharma-Member-B

(Delivered by Hon'ble G.S.Sharma)

This application has been moved by one Ranjeet Kumar Singh for reviewing the order dated 3.6.1986 passed by this Bench rejecting his application under Section 19 of the Administrative Tribunal Act on the ground that the applicant did not acquire the status of a temporary regular worker on the basis of the provisions contained in the Railway Establishment Manual shown on behalf of the applicant himself at the time of the admission of the application. It has now been contended that besides the provisions contained therein, there is a circular no. E/NG/11/75 dated 12.11.1975 of the Railway Board under which the applicant acquired the status of a temporary railway servant on his rendering the continuous service for 6 months. It was also contended that Patna High Court has accepted this view. Neither the alleged circular nor the ruling of the Patna High Court relied-upon by the applicant were produced before us. We, therefore, do not find any additional evidence to review our order in question.

We further feel that the applicant is alleged to have rendered service as a casual worker in 1975 for more than 6 months.

He thereafter slept over the matter and did not claim his status as a temporary employee for about 10 years. He, for the first time, appears to have given a notice under Section 80 C.P.C. to the Railway Administration on 8.5.1985. There is a mention in this

notice, copy whereof has been filed as annexure-4 to his application, that before giving the notice in 1985, he had made one application to the Railway Administration in 1973, and another on 31.7. 1974. His claim is thus badly time barred. The order dated 4.3.1986 passed by the Executive Engineer(annexure-3) speaks that the applicant never worked as a casual labourer and there is no scope of employment of casual labourer in his unit in the near future. The representation dated 22.1.1986, copy annexure-1, on which the aforesaid order was passed by the Executive Engineer shows that the applicant had simply requested for giving him employment on account of his poverty and his father being a freedom fighter, but not on the basis of his legal rights as a temporary railway servant on the basis of his having worked as a casual labourer earlier. The applicant has thus no *prima facie* case for adjudication and we do not feel inclined to review our order dated 3.6.1986 and reject the review petition.

*Sharma*  
7.10.86  
Member-A

*Subarna*  
7.10.86  
Member-J.

J. Singh / 7.10.1986.