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Court No. 1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Registration O.A. No. 207 of 1988

Brijesh Kumar Srivastava Applicant

Versus

Union of India & Another Respondents.

Hon. Ajay Johri, A.M.
Hon. G.S. Sharma, J.M.

This is an application under Section 19 of the Administrative Tribunals Act XIII of 1985. The applicant is challenging his illegal termination of service verbally by the Chairman, Railway Service Commission, Allahabad on 1.2.1981. According to the applicant he was engaged as a Casual Labour on 30.9.1980 and worked upto 31.1.1981 continuously without break and received the payment for the said period. Since he had worked continuously for more than 120 days he claimed temporary status by virtue of which verbal termination of service becomes illegal. He has therefore claimed for reinstatement and regular scales of pay and allowances with back wages and other consequential benefits. The matter regarding his termination relates to 1981 and is badly time barred and wrongly agitated at this stage. The applicant had remedy available with him which he failed to utilize at the appropriate time. The application being time barred is rejected at the admission stage.

Sharma
Member (J)

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Member (A)

Dated the 22nd March, 1988

RKM