

(3) (13/1)

Central Administrative Tribunal, Allahabad.

Registration O.A.No.895 of 1988

Niranjan Prasad and others ... Applicants

Vs.

Secretary, Ministry of Defence
and others ... Respondents.

Hon. Justice A. Banerji, C(J)
Hon. Ajay Johri, AM

(By Hon. Justice A. Banerji, C(J))

This application u/s.19 of the Administrative Tribunals Act XIII of 1985 has been filed by 10 persons who were employed as casual labourers for 89 days in the Ordnance Factory, Kanpur in June 1982. After 89 days, their services were terminated. They are aggrieved that their services were terminated without any notice and subsequently 52 new hands were appointed in the months June and July, 1983 and the applicants were ignored.

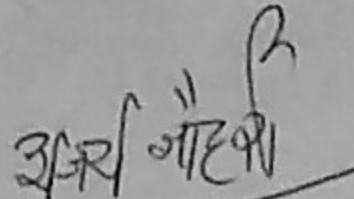
2. We have heard Sri P.K. Kashyap, learned counsel for the applicant and Sri K.C. Sinha, learned counsel for the respondents. We find no merits in any of the contentions of the learned counsel for the applicant. The applicants were appointed purely on temporary capacity as casual labourers and no right ⁴⁴ ~~was~~ accrued to them by working for 89 days. Secondly, even if they were aggrieved by their retrenchment, they could have approached the High Court under Art. 226 of the Constitution but they did not file any writ petition. Even after the enforcement of the Administrative Tribunals Act XIII of 1985, they waited and filed this original application only on 26.7.1988, which is hopelessly time barred. Apart from this, the making of successive representations does not

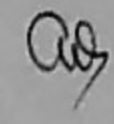
(4)

A2/2

extend the period of limitation nor does it give a fresh cause of action to the applicants.

3. We find no merits in this original application which is accordingly dismissed at the admission stage.


MEM-BER(A)


CHAIRMAN

Dated: 21.12.1988
kkb