

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 19TH DAY OF APRIL, 1999

Original Application No. 1560 of 1993

HON.MR.JUSTICE NEELAM SANJIVA REDDY,V.C.

HON.MR.G.RAMAKRISHNAN, MEMBER(A)

Phool Chand, Son of Sri Garib Das  
R/o Bhola Ka Pura, Sulem Sarai  
Dhumanganj, Allahabad.

.. .. Applicant

(By Adv. Shri G.D.Mukherjee)

Versus

1. The Union of India, through  
Chairman, Railway board, Rail Bhawan  
New Delhi.
2. The Divisional Railway manager,  
Northern Railway, Allahabad.
3. The Inspector of Works(Construction) III  
Northern railway, Allahabad.

.. .. Respondents

O R D E R(Oral)

BY HON.MR.JUSTICE NEELAM SANJIVA REDDY,V.C.

The application has been filed for the following  
reliefs:-

- i) issue a writ order or direction in the nature of  
mandamus directing the respondents to enter/enroll  
the name of the applicant in the register  
maintained by them for recruitment of the casual  
labour.
- ii) issue a writ, order or direction in the nature of  
mandamus directing the respondents to notify  
the vacancy to the applicant and to engage the  
applicant as Khalasi on permanent basis in  
Northern Railway.

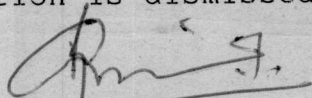


- iii) to issue any other writ, order or direction which this Hon'ble court may deem fit and proper in the circumstances of the case.
- iv) to award the costs of this application in favour of the applicant.

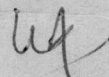
2. It is clear from the record and submissions of the learned counsel for the applicant that he was disengaged from casual labourers in the year 1981. This fact is not in dispute. The present application has been filed in 1993. It is clearly barred by limitation under Section 21(2)(a) of the Administrative Tribunals Act 1985.

3. Learned counsel for the applicant relied upon a decision in 'Hukum Singh Vs. Union of India and others reported in 1993(24) A.T.C 747. We are of the view that in the facts of this case the said decision is not applicable.

4. Under these circumstances, we are of the view that the application is hopelessly barred by time and accordingly is not maintainable. In the result, the application is dismissed at the admission stage.



MEMBER (A)



VICE CHAIRMAN

Dated: 19.4.1999

Uv/