

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH  
ALLAHABAD

Original Application No. 72 of 1993

Allahabad this the 06th day of December, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)

Vinay Kumar, Son of Sri Manik Chand, Resident of  
Village Aslempur, Post Office Barigaon-Newada,  
Police Station Madiyahun, District Jaunpur(U.P.)

Applicant

By Advocate Shri S.K. Om

Versus

1. Union of India through General Manager, Northern Railway, New Delhi.
2. The Chief Engineer(Civil) Head Quarter Office(N.N.) Baroda House, New Delhi.
3. Divisional Railway Manager, Northern Railway, Allahabad.
4. The Assitt.Engineer, Northern Railway, Varanasi.
5. The Inspector of Works, Northern Railway, Varanasi.
6. The Deputy Chief Engineer, Concrete & Sleeper Plants, Khalispur, Northern Railway, Varanasi.
7. The Inspector of Works, Northern Railway, C.S.P. Khalispur, Varanasi.
8. The P.W.I.(Special), Northern Railway, Unchahar, Raibareilly(U.P.).
9. The Assistant Engineer, Northern Railway, Unchahar (U.P.).

Respondents

By Advocate Shri A.K. Gaur

O R D E R ( Oral )

By Hon'ble Mr.S.K.I. Nagvi, Member (J)

S/Shri Vinay Kumar, Lal Chand and Shyam Lal have filed this O.A. seeking relief of being re-engaged and be accorded with temporary status. Now, applicants no.2 and 3 have been deleted at their request and the case remains only in respect of Shri Vinay Kumar-applicant no.1, who has pleaded that in view of the days he has worked with respondents establishment, he is entitled to be accorded temporary status and re-engaged and, thereafter, his services be regularised.

2. As per his case, the applicant worked for total number of 196 days during 15.3.1978 to 14.1.1981 in broken spells.

3. The respondents have contested the case and raised the preliminary objection on the ground of maintainability for being barred by period of limitation as provided under Section 21 of the Administrative Tribunals Act. It has also been mentioned that the applicant has not even been enrolled in the casual labour live register and, therefore, he cannot be provided any relief sought for.

4. It is not in dispute nor it can

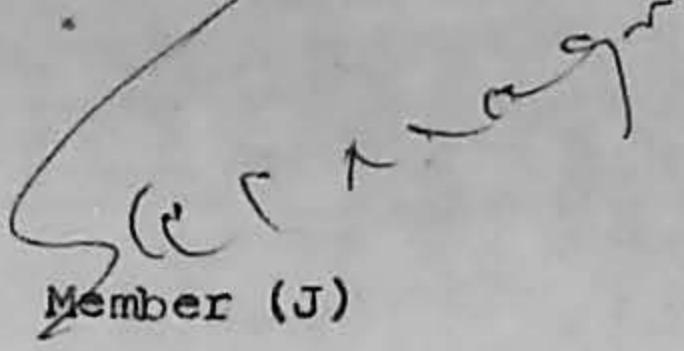
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be disputed from the side of the applicant  
that he last worked on 14.1.1981 and has filed  
this O.A. on 12.1.1993 i.e. after span of 12 years,  
for which no good reason has been shown to condone  
this delay and thereby the O.A. is grossly barred  
by period of limitation, hence not maintainable  
and is dismissed accordingly <sup>on this ground</sup> ~~on this count~~ only.

No costs.

  
Member (J)

/M.M./