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OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 1st day of May, 2001.

Original Application No. 854 of 1994.

CORAM :-

Hon'ble Mr. SKI Naqvi, J.M.

Hon'ble Maj Gen KK Srivastava, A.M.

Shri Mahesh Chand Sharma,
S/o Shri Gulab Rai Sharma,
Casual Khalasi under
Chief Traction Foreman (TKD),
Aligarh.

(Sri S.N. Srivastava, Advocate)

. Applicant

Versus

1. Union of India
Through the General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Allahabad.

. Respondents

ORDER (O r a l)

By Hon'ble Mr. SKI Naqvi, J.M.

Shri Mahesh Chand Sharma, the applicant has come up seeking direction to the respondents to re-engage him as casual labour and regularise him as per seniority list position. The applicant ^{has} a case that right from 15-9-1979 to 3-8-1982 he continuously worked as casual labour in the respondent's establishment and thereafter he was dis-engaged. The applicant has a grievance that inspite of his having worked for more days, the other casual labours with lesser number of days to their ^{credit} grade, have been engaged thereby discriminating applicant against his juniors. The respondents have contested the case and filed counter reply.

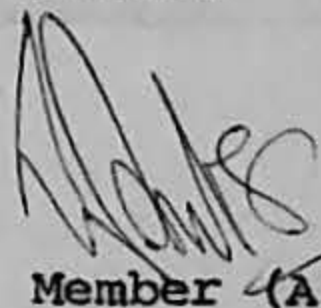
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2. We have heard counsel for the parties and perused the record.

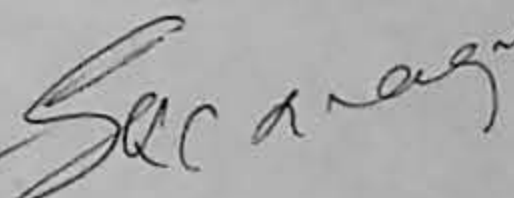
3. We find that the applicant has filed his casual labour card which mentions that during the period 15-9-1979 to 18-8-1982 he worked continuously for 1063 days but there is also a remark that he left on his own accord, though the applicant does not agree with this remark but has not mentioned anywhere as to how this remark has been given in his casual labour card and why he kept silent without agitating against the same.

4. For the above, we find that now the applicant cannot gain any benefit for the days he worked in view of mention in his casual labour card that he left the work at his own accord and now after lapse of 10 years the applicant cannot get the relief because of delays and laches.

5. The OA is not only devoid of merit but ~~is~~ also suffers from delay and laches. Dismissed accordingly. There shall be no order as to costs.



Member (A)



Member (J)

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