

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Original Application No: 1204 of 1994

B.K.Tripathi Applicant.

Versus

Union of India & Ors. Respondents.

Hon'ble Mr. S.Das Gupta, Member-A
Hon'ble Mr. T.L.Verma, Member-J

(By Hon'ble Mr. S.Das Gupta, A.M.)

Heard Km. T.N.S.Menon, learned counsel
for the applicant on admission.

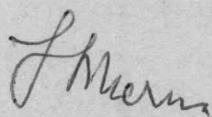
2. The case of the applicant is that he had been working in the office of the respondent No. 2 from time to time and he last worked in 1986 having completed 240 days with artificial breaks. He prayed for a direction to the respondents to enter his name in the seniority list of Casual Labourers and his further engagement as Casual Labour and regularisation against future vacancies as per his seniority.

3. Since the alleged dis-engagement pertains to the year, 1986, the case is clearly time barred. However, the learned counsel for the applicant states that the applicant is relying on the devision dated 10.1.1992 passed by this Tribunal in O.A. No. 1112/1991 by which, a similar matter was disposed of. This order of 10.1.1992 does not lay down any brief principle of law. It contains a direction specifically with preference to the applicant in the O.A. It is therefore of no avail to the applicant in this case.

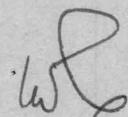
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4. However, in view of the fact that he is stated to have made representation to the department, copy of which is at Annexure A-1, we do not see any reason why the same cannot be considered by the respondents on merit and in accordance with law/Rules despite the O.A. being ~~be~~ time barred. In view of this, we direct the respondents to consider the said representation on merit and in the light of the extant rules relating to engagement of Casual Labour and the regularisation of their services and dispose of the representation by a reasoned and speaking order within a period of 3 months from the date of communication of this order. With this direction, the O.A. No. 1204/1994 stands disposed of at the admission stage itself.



Member-J



Member-A

Allahabad Dated: 19.08.1994

/jw/