

(1)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

Original Application No. 1096 of 1995

.....

Dated : This, the 1st day of Nov., 1995.

CORAM :

Hon'ble Mr S.Das Gupta, A.M.
Hon'ble Mr T.L.Verma, J.M.Virendra S/o Sri R.S.Singh Chauhan,
R/o 84/A, Katrawal Singh,
Etawah ApplicantBy Sri K.S.Saxena

Versus

1. The Union of India(Through Secretary)
Ministry of Railways,
Railway Board,
New Delhi.
2. The General Manager,
Northern Railway,
Baroda House,
New Delhi.
3. The Divisional Railway Manager,
Northern Railway,
Allahabad Respondents

O R D E R (Oral)

This application has been filed seeking a direction to the respondents to give appointment to the applicant in the Railways in the loyal quota as a son of a loyal worker in terms of commitment made by the then Railway Minister.

2. It has been stated that the applicant's father who was a member of the Territorial Army, had responded to a call given by the then Railway Minister and worked when the Railway Employees had gone on a strike in 1974. It is further stated that loyal workers like the father of the applicant, who did not participate in the strike, were assured that their children would be given appointment in the Railways. It is further stated that the applicant's father had initially sent the application for the employment of the applicant's elder brother. Later, he took up the case of appointment of the present applicant, his younger son in 1991 when he attained age

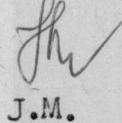
wle

// 2 //

of majority and passed B.A. examination. This application, however, was not considered by the respondents. It is stated that thereafter applicant's father made several representations and finally he addressed a representation dated 16.7.1995 to The President of India.

3. The applicant has not annexed any order of the Railway Board in which assurance was given for appointment of children of the loyal workers. In any case, such assurance, even if given, was in 1974 whereas by his own admission, the applicant's case was taken up in 1991. Even if the Railways had given any assurance in this regard, such assurance can not be on open-ended one. The applicant can hardly be allowed to seek the benefit of assurance given in 1974 by filing a representation only in 1991. Even otherwise, the case is time barred as the representation was admittedly made in 1991 and subsequent representations can not extend the period of limitation. Even otherwise we find no merit in this application.

4. The application is dismissed in line both on the ground of limitation and due to lack of merit.


J.M.
A.M.