

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

ALLAHABAD

Allahabad : Dated this 14th day of December, 2000

Original Application No.1606/1999

CORAM :-

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

Mahmood Alam S/o Sri Hareen,

R/o House No.81 3A, Opp. Sabiyabad

Aftab Lodge, Near Hand Pipe,

P.O. Teliyarganj, Allahabad.

(Km. T.N.S. Menon, Advocate)

. Applicant

Versus

1. Union of India through its Secretary,
Ministry of Railway, New Delhi.
2. The Divisional Railway Manager,
Northern Railway, Lucknow.
3. The Divisional Commercial Superintendent
Lucknow, Northern Railway.

. Respondents

O R D E R (O r a l)

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

The applicant has ^{Come up} ~~come~~ with the prayer that the respondents be directed to consider the pending representation of the applicant dated 18-5-1989 and 18-11-1999.

2. There is a preliminary objection from the side of the respondents to the maintainability of the matter which is ^{said} ~~seught~~ to be grossly barred by period of limitation.

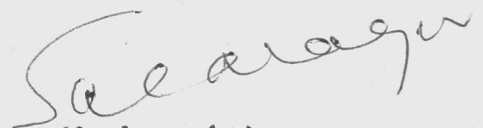
3. As per the applicant's case, he worked as casual labour in the Northern Railway w.e.f. 20-4-1989 to 15-5-1989 and again from 26-4-1989 to 8-5-1989 and 1-1-1989 to 20-2-1989 and again from 15-4-1990 to 14-7-1990 and also for five months in 1991 and 31 days

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in 1991 under two different spells and, therefore, he became entitled to be re-engaged for which he submitted two representations, as mentioned above, but the respondents did not reply the same. Hence, this OA.

4. From the side of the respondents, it is mentioned that the applicant has not filed any reliable/admissible evidence in support of his contention that he actually worked with the respondents' establishment as he has pleaded in the OA. He has also objection regarding delay and laches in filing this OA.

5. Considering the arguments placed from either sides, the applicant has filed a delay condonation application with the mention that for want of proper resources and paucity of financial help, he could not file the OA, within the prescribed time. I do not find the reason mentioned is acceptable particularly to move the cases before the Tribunal where no court fee is to be paid. For the above, I find the OA is grossly barred by limitation without any proper and acceptable explanation to condon the delay. The OA is dismissed accordingly. No costs.


Member (J)

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