

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD

Allahabad this the 19th day of March, 2001

C O R A M :- Hon'ble Mr. S. Dayal , Member- A.

Original Application No. 172 of 1999

Laxmi Kant Shukla S/o Sri Yagul Kishore,
C/o Sri Rajnarain Tripathi. Vill. Durga Shukla Ka Pura
P.O. Barai-Harrik. Distt. Allahabad.

.....Applicant

Counsel for the applicant:- Sri K.S. Saxena

V E R S U S

1. The Union of India through the General Manager
Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager,
Northern Rly. Allahabad.
3. The General Manager, Northern Central Rly.
Allahabad.

.....Respondents

Counsel for the respondents:- Sri A.K. Gaur.

O R D E R (Oral)

(By Hon'ble Mr. S. Dayal, Member- A.)

This application has been filed for re-engagement/
regularisation of the applicant as casual labour under the
D.R.M, Allahabad as per rules.

2. The case of the applicant is that he was engaged
as casual labour for total of 214 days in the year 1977-78
and for 30 days from 01.09.78 to 30.09.78. He claims that

he is entitled to the entry of his name in the Live Casual Labour Register ^{he} as/ has worked for more than 120 days prior to 1978. The applicant made applications for being appointed as casual labour which ~~were~~ replied to vide letter dt. 22.12.97 and 12.12.98 by the respondents.

3. I have heard Sri K.S. Saxena, learned counsel for the applicant and Sri A.K. Gaur, learned counsel for the respondents.

4. Learned counsel for the respondents has drawn my attention to the reply dt. 12.12.98 in which respondents have denied that since the applicant's name was not included in any Live Casual Labour Register nor it is included in the computerised list of casual labourers, ^L it can not be accepted that the applicant has worked for 240 days. It has also been denied by the respondents that the applicant worked under the P.W.I, Churk

5. I am not inclined ^{to} consider regarding question whether the applicant worked or did not work in the service of the respondents. The facts that the applicant has choosen his claim for re~~re~~engagement as casual labour in the year 1999 is clearly barred by statuto^{ry} provisions regarding limitation. The applicant has choosen to come after 21 years ~~at~~ last engagement and there is a catena judgements which bars such claim and grant of any relief. Hence, this claim is rejected on the ground of limitation.

6. There will be no order as to costs.


Member- A.

/Anand/