

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD.**

DATED: THIS 10TH DAY OF JULY 2007.

ORIGINAL APPLICATION NO. 870 OF 1999.

**Hon'ble Mr. Justice Khem Karan, Vice-Chairman
Hon'ble Mr. P.K. Chatterji, Member (A)**

Suresh Singh, S/o late Sri B.N. Singh, R/o Village Sandi Khurd
Post – Sidhuwa Bangar, Distt: Kushinagar.

.....Applicant

By Adv: Sri N.K. Singh

VERSUS

1. Union of India, through its General Manager, North Eastern Railway, Gorakhpur.
2. Chief Engineer, Commercial, North Eastern Railway, Gorakhpur.
3. Sub Divisional Engineer (Rail Path), North Eastern Railway, Anand Nagar, Gorakhpur.

.....Respondents

By Adv: Sri K.P. Singh

ORDER

By Justice Khem Karan, VC

The applicant worked as casual labour at Railway Station Anand Nagar of N.E. Rly., from 24.02.1980 to 15.01.1981. Admittedly his name was entered in Live Casual Labour Register (LCLR) at Sl. No. 80. He filed this OA saying that inspite of various representations from time to time, opposite parties have not re-employed or regularized him, though they have re-induced juniors to him. It is prayed that the

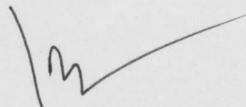


respondents be directed to re-appoint/regularize him in service on the post of Khalasi.

2. The respondents have filed reply saying that the OA is highly time barred and the applicant's case for re-appointment/regularization is not possible under the latest circular of the Railway Board.

3. In compliance of our direction dated 14.09.2006 Sri K.P. Singh has placed before us the Railway Board's circulars dated 11.05.1999 and 28.02.2001, so as to say that in view of the circular dated 11.05.1999 the LCLR was to be revised on the basis of Upper Age Limit and Educational Qualification. He says that the applicant belonged to Other Backward Classes, the upper age limit is 43 years and in the year 1999, he had crossed the upper age limit. Sri Singh has stated that by now the applicant has reached the age of 52 years. According to him no direction could be given to appoint or regularize the services of the applicant in the facts and circumstances of the case. Sri N.K. Singh says that since the name of the applicant is there in the LCLR so his case survives for consideration by the respondents.

4. After having considered the respective submissions, we are of the view that there appears no good grounds, for interference of this Tribunal. There is no denial of the fact that according to the latest circular of the Railway Board, upper age limit of such casual labourers has been fixed, so as to see



whether they could be re-induced or regularized. The applicant has already reached more than 52 years. No useful purpose is going to be served by issuing any directions. So the OA is dismissed with no order as to cost.

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*C. J. J. S.
10.7.67*

Member (A)

Vice-Chairman

/pc/