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Central Administrative Tribunal,
Cuttack Bench, Cuttack

Original Application No.139 of 1991

Date of decision: January 21, 1993.

Muralidhar Samal Applicant
Versus
Union of India and others.... Respondents

For the Applicant : Mr. J. Gupta, Advocate.

For the Respondents : Mr. C. M. K. Murty, Advocate.

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CORAM:

THE HONOURABLE MR. K. P. PACHARYA, VICE CHAIRMAN

AND

THE HONOURABLE MR. S. R. ADIGE, MEMBER (ADMINISTRATIVE)

...

1. Whether reporters of local papers may be allowed to see the judgment? Yes.
2. To be referred to the reporters or not?
3. Whether Their Lordships wish to see the fair copy of the judgment? Yes.

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(12)

JUDGMENT

S.R. ADIGE, MEMBER (A), In this application under section 19 of the Administrative Tribunals Act, 1985, the petitioner prays for a direction to the Opposite Parties to give permanent post of labourer by regularising the services of the petitioner with payment of back wages.

2. Shortly stated the case of the petitioner is that he was employed as a Casual labourer in the office of the Central Rice Research Institute (Cuttack) and since 1980 he has ceased to function as Casual labourer. This application has been filed on 7th May, 1991. Section 21 of the Administrative Tribunals Act 1985 creates a clear bar to take cognizance of any cause of action said to have accrued prior to 1.11. 1982. Law is equally well settled that representations filed long after the limitation running against the Petitioner aggrieved, does not save the limitation. Be that as it may, here is a case where a very poor man goes without food and sustenance of his life and that of his family members has come verfy difficult on the part of the petitioner. We cannot concede a situation that C.R.R.I - a large organisation will not be able to engage a person as a casual labourer. We would strongly recommend the case of the petitioner to the Director, C.R.R.I to take a sympathetic attitude over the petitioner and give him some employment as a casual labourer and whenever in future vacancy arises, case of the petitioner be considered for regular appointment if otherwise he is not found to be unsuitable.

3. This order is passed after hearing Mr.J. Gupta learned counsel for the petitioner and Mr.C.M.K. Murty learned Counsel for the Opposite Parties.

4. Thus, the application is accordingly disposed of leaving the parties to bear their own costs.

K. Mohanty
21.1.93
VICE CHAIRMAN

Anil Ch. J.
MEMBER (ADMINISTRATIVE)

Central Administrative Tribunal
Cuttack Bench, Cuttack/21.1.1993
K. Mohanty.

