

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CUTTACK BENCH, CUTTACK

M/8-M.M. Basu
S.S. Mohapatra
H.K. Chawla
D.M. Dash
CAT/1/11
Nayak
Miss. N. Rath

O.A./T.A./R.A. No..... 357.....1996

Shri N. Nayak.....Applicant(s)

Versus
Union of India.....Respondent(s)

Sr. No.	Date	Order with Signature
1	17.5.96	<p>REGISTER</p> <p>Heard Shri M.M.Basu, learned counsel for the petitioner. On 24.11.1967, the applicant was appointed by the Divisional Railway Manager, Khurda Road, as a Gangman under the Permanent Way Inspector, S.E. Railway, Kalupadaghat. During 1976, while working at Tapang Nirakarpur Section, he sustained an injury and lost his right eye. He was not allowed to work as Gangman but only as a Chowkidar. His claim is that he has been paid less salary since 1976. As a Gangman he had promotional avenues but as a Chowkidar he has none. He claims to have made repeated approach to the respondents, but there is no response. Now he says in this application that his reversion to the post of Chowkidar after sustaining an injury is perverse and illegal. The cause of action has arisen some time in 1976 or soon thereafter. This application is hopelessly barred by limitation. Two decades after the cause</p> <p style="text-align: right;">J.-P.-O R 8-50/- has been settled 1615</p> <p style="text-align: right;">May be placed for registration please.</p> <p style="text-align: right;">1615-05-96 S- 16.05.96</p> <p style="text-align: right;">Registration for admission 1615-05-96 Bench</p>

Serial No. of Order	Date of Order	Order with Signature
...1	17.5.96	<p>of action there is no question of adjudicating the same.</p> <p>Shri Basu, however, submits that the applicant has made a representation dated 15.4.1996 that his Service Book be shown to him. A Service Book is a record of service of an employee. He has a right to see the Service Book. There is no law imposing any restriction in this behalf. As a Service Book only contains the service particulars of the applicant, the Divisional Railway Manager, S.E.Railway, Khurda Road (Res. 2) may, on ^{an} appointed date within a month of the receipt of this order, call the applicant and show him the Service-book.</p> <p>With these observations the application is dismissed on the ground of limitation.</p> <p>Hand over a copy of the order to the petitioner's counsel.</p> <p><u>.....</u></p> <p>MEMBER (ADMINISTRATIVE)</p>

Free copy of order
dt. 17.5.96 and
original application

Free copy of
order dt. 17.5.96
and original
application
may be sent
to the R. 2/53
and the copy
of order may
be given to the
Petitioner's Counsel.

S.O.

MF
Fazlajab

Received Free copy
of order dt. 17.5.96
on behalf of the
applicant
Dated 27.05.96