

NOTES OF THE REGISTRY

ORDERS OF THE TRIBUNAL

Or. dt. 7.8.02

Counter not filed
for Admision.

Bench

Or. dt. 24.9.02

Counter not filed
for admission.

23/9

Bench

Counter filed.
copy served.
OA 1028/02 for
consideration.
For hearing

23/9

Bench

Or. dt. 24.9.03

For Hearing OA
1028/02 for
consideration.

14/12

Bench

Or. dt. 15.10.03

For further hearing
as Part. Heard.

10/12

Bench

Order dated 1.12.2003

None appeared for the applicant when called nor the applicant did appear in person. However, Shri D.N.Mishra, learned counsel for the Respondents was ^{present} and with his aid and assistance, I have perused the materials available on record and also heard him.

This O.A. was filed on 24.12.2001 ventilating grievances relating to non-appointment as casual labourers though the applicant were selected by a duly constituted Selection Committee set up by the Respondents on 11.7.1996 (Annexure-1). The selection of the candidates was meant for appointment as casual Gangmen for a period of 119 days during the monsoon season on daily rates of pay during the year 1996.

Shri Mishra, the learned counsel for the Respondents has drawn my attention to the fact that the O.A. is grossly barred by limitation as the recruitment for appointment to the post of Casual Gangmen took place in the year 1996 whereas this O.A. was filed only on 24.12.2001. The job was seasonal in nature and this Court also did not favour the application of the applicants for vacation of stay of the operation of the panel prepared by the Respondents on 11.7.1996. In the circumstances, Shri Mishra submitted that this O.A. is grossly barred by limitation and therefore, the same is liable to be rejected on this ground alone.

I have carefully considered the issues raised regarding limitation and found that there

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Or. 22. 22. 03

For further
hearing as Part-
Hearings.

BenchOr. 22. 12. 03

For further
hearing as Part-Hearings

28/11BenchOr. 21. 1. 12. 03

Copies of order
prepared for counsels
for both sides.

DAB
1/12/03
RJ

is considerable force in the contention of Shri Mishra that this O.A. is hit by laches and limitation, specially, when the select list prepared by the Respondents on 11.7.1996 was meant purely for manning certain jobs of Gangmen on casual basis for a specified period of 119 days during the year 1996 and therefore, the matter cannot be adjudicated in the year 2001 for any purpose whatsoever.

In the said circumstances, this O.A. being barred by limitation is rejected.
No costs.

VICE-CHAIRMAN *[Signature]*