

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JODHPUR BENCH, JODHPUR.

* * *

Date of Decision: 21.1.97

OA 373/96 with MA 245/96

Ajba son of Thanaji, Gangman under PWI Dhaneri, Northern Railway, Dhaneri.

... Applicant

Versus

1. Union of India through the Secretary, Railways Ministry, Rail Bhawan, New Delhi.
2. P.W.I., Dhaneri, Northern Railway, Dhaneri.
3. Divisional Personnel Officer, Northern Railway, Jodhpur.

... Respondents

CORAM

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR.O.P.SHARMA, ADMINISTRATIVE MEMBER

For the Applicant ... Mr.U.R.Tatiya

For the Respondents ...

O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Ajba, has filed this application under Section 19 of the Administrative Tribunals Act, 1985, (for short, the Act), praying for his reinstatement to the post of Gangman.

2. We have heard the learned counsel for the applicant.
3. The case of the applicant is that he worked as a Gangman under the Permanent Way Inspector at Dhaneri upto 31.12.94, on which date he was disengaged from service. Thereafter, he made verbal request to the authorities for the redressal of his grievances and ultimately on 2.2.96 he served a notice for demand of justice. There is no order on the record or any other document to indicate that he was appointed as a Gangman or he ever worked as a Gangman till 31.12.94. It is also not known as to when the applicant was initially engaged in service under the Permanent Way Inspector. If it is true that the applicant was dis-engaged from service as a Gangman on 31.12.94, as stated by the applicant, he should have preferred this application within a period of one year of the aforesaid date, as envisaged by Section 21 of the Act. There is no documentary evidence in support of the contentions raised by the applicant. Moreover, this application is barred by limitation. The OA having been filed on 4.7.96, beyond the period of limitation, is time barred.

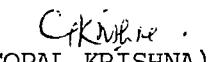
GKRN 4. The reasons stated in MA 245/96, for condonation of delay, are vague

and unconvincing. OA as well as MA for condonation of delay are hereby dismissed at the stage of admission.



(O.P.SHARMA)

ADMINISTRATIVE MEMBER



(GOPAL KRISHNA)

VICE CHAIRMAN

VK