

Date of Decision: 17.3.97

OA 51/97

Hanuman Upadhyaya, Fitter Second under the Inspector of Works, Northern Railway, Bikaner Division, Bikaner.

... Applicant

Versus

1. Union of India through the General Manager, Northern Railway, Baroda House, New Delhi.
2. The Divisional Railway Manager, Northern Railway, Bikaner Division, Bikaner.

... Respondents

CORAM:

HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

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

For the Applicant

... Mr.N.C.Pandey

For the Respondents

... —



O R D E R

PER HON'BLE MR.GOPAL KRISHNA, VICE CHAIRMAN

Applicant, Hanuman Upadhyaya, has filed this application u/s 19 of the Administrative Tribunals Act, 1985 (for short, the Act), praying therein for a direction to the respondents to consider his son Purushottam Upadhyaya or Ramesh Kumar Upadhyaya for appointment as a Clerk against the quota of loyal workers as also for a direction to the respondents to provide increments in his pay in the alternative as per assurances to loyal workers.

2. We have heard the learned counsel for the applicant.

3. The case of the applicant is that being a loyal worker he did not participate in the Railway strike in 1974 and in view of certain concessions having been allowed to the loyal workers and their sons for appointment in the Railways, the sons of the applicant should also be extended the benefit of appointment in the Railways and despite the representations made by the applicant such benefit could not be extended to his sons. The matter relates to 1974. The applicant has not stated in his application as to when in point of time his two sons namely Purushottam Upadhyaya and Ramesh Kumar Upadhyaya had attained majority. The applicant should have sought remedy before an appropriate legal forum within the prescribed period of limitation. This matter is highly belated and is hit by the bar of limitation, contained in

*Cf. Rule* Section 21 of the Act.

4. In the result, this application is dismissed as being time barred at the stage of admission.



*[Handwritten signature]*

(O. P. SHARMA)

ADMINISTRATIVE MEMBER

*G. Krishna*  
(GOPAL KRISHNA)  
VICE CHAIRMAN