

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

O.A.No.576/99

Friday this the 18th day of June, 1999

CORAM

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE MR. G. RAMAKRISHNAN, ADMINISTRATIVE MEMBER

N. Sadasivan
S/o B.Neelakanta Pillai,
aged 43 years, Ex.Casual Labourer,
Southern Railway,
Trivandrum Division,
residing at NSK Bhavan,
Asan Kinaru, Puliyoore Kurichy,
Thakalay PO,
Dist. Kanyakumari-629175.Applicant

(By Advocate Mr. T.N. Sukumaran)

Vs.

1. The Divisional Railway Manager,
Southern Railway,
Trivandrum Division,
Trivandrum. 14.
2. The Senior Divisional Personnel Officer,
Southern Railway,
Trivandrum Division,
Trivandrum.14. ...Respondents

(By Advocate Mr. P.A. Mohammed)

The application having been heard on 18.6.99, the
Tribunal on the same day delivered the following:

O R D E R

HON'BLE MR. A.V. HARIDASAN, VICE CHAIRMAN

The applicant who claims to have rendered casual service under the Southern Railway from 16.1.1973 till 5.10.1980 has filed this application for a direction to the respondents to include his name in the list of retrenched casual labourers belonging to the Civil Engineering Department of Southern Railway, Trivandrum Division at the appropriate place and to grant him the consequential benefits. It is alleged that after his retrenchment he has made several representations for re-engagement, that in the year 1987 he made a request

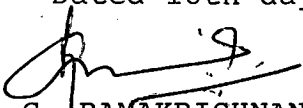
....2


for inclusion of his name in the Live Register, that as he did not find any response to the said request coming to know of a notification appeared in the newspaper dated 4.3.87 the applicant submitted another representation dated 15.3.97 (A2) and that still the respondents are not considering the case for reengagement while persons with lesser length of service than the applicant have been included in the list.

2. We have heard the learned counsel for the applicant as also the standing counsel for the Railways. Apart from making a bald averment that the applicant had made several representations, that in March, 1987 the applicant has registered his name for inclusion in the live register, nothing has been placed on record to show that the applicant has done so. The Apex Court in its judgment in *Dakshin Railway Employees Union, Trivandrum Division Vs. General Manager, Southern Railway and others* reported in AIR 1987 SC 1153 held that the Railway Administration may consider inclusion in the Live Register of casual labourers who would register their name for such inclusion before 31.3.87. The applicant has not placed on record anything to show that he has registered his name before 31.3.87 pursuant to a notification issued by the Southern Railway in February, 1987 in accordance with the directions contained in the Judgment of the Supreme Court as aforesaid.

3. In the light of what is stated above, we find that the applicant's claim is barred by limitation and therefore, the application is rejected. No order as to costs.

Dated 18th day of June, 1999


G. RAMAKRISHNAN
ADMINISTRATIVE MEMBER


A.V. HARIDASAN
VICE CHAIRMAN

|ks|

List of Annexure referred to in the order:

Annexure.A2: The true copy of the application dated
15.3.97 submitted by the applicant.

....