

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No: 596/88

DATE OF DECISION 6.8.93

Shri Maheshwarrao Suryanarayan Petitioner

Applicant in person _____ Advocate for the Petitioners

Versus

General Manager, Central Railway, Bombay, and anr. Respondent

Shri J.G. Sawant _____ Advocate for the Respondent(s)

CORAM:

The Hon'ble Shri Justice M.S. Deshpande, Vice Chairman

The Hon'ble Shri Ms. Usha Savara, Member (A)

1. whether Reporters of local papers may be allowed to see you the Judgement ? NO
2. To be referred to the Reporter or not ? NO
3. Whether their Lordships wish to see the fair copy of the Judgement ? NO
4. Whether it needs to be circulated to other Benches of the Tribunal ? NO

(M.S. DESHPANDE)
VICE CHAIRMAN

NS /

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Original Application No. 596/88

Shri Maheshwarao Suryanarayan

... Applicant.

V/s.

General Manager,
Central Railway,
Bombay

Divisional Railway Manager
Central Railway
Nagpur Division
Nagpur.

CORAM: Hon'ble Shri Justice M.S. Deshpande, Vice Chairman
Hon'ble Ms. Usha Savara, Member (A)

Appearance:

Applicant in person.

Shri J.G. Sawant, counsel
for the respondents.

ORAL JUDGEMENT

Dated: 6.8.93

{ Per Shri M.S. Deshpande, Vice Chairman }

Heard counsel for the parties. The applicant continued in service till 18.10.84 on the pretext that he was working as casual Khalasi with effect from 19.7.84 to 18.10.84 and that he was not given the service card inspite of his demand. His representations were also not accepted. According to the respondents, the applicant had worked as casual labour with effect from 19.7.84 to 18.10.84 and thereafter, he absented from the work. Further since the case has not been filed within three years from the date of cause of action, it is barred by time.

2. We have heard the applicant in person and Shri Sawant for the respondents. It is apparent that the applicant had worked for less than 90 days and he could not get the ^{benefit of permanent} ~~permanent~~ service and shall be continued in service. In the written argument which

(14)

: 2 :

is filed today states that he was kept at Nagpur and was working for Shri N.K. Agrawal as a domestic servant as per orders of I.O.C. without absence. No evidence is produced for his contention. Since the applicant had no right of appointment and the application is not filed within the time, no relief can be granted to the applicant.

The application is dismissed accordingly.
There shall be no order as to costs.

U.S. Savara
(USHA SAVARA)
MEMBER(A)

M.S. Deshpande
(M.S.DESHPANDE)
VICE CHAIRMAN

NS