

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL:: HYDERABAD BENCH:
HYDERABAD.

M.A.No.596 of 1993

in

O.A.No.378 of 1993

Between:

P.Rajalakshmi
W/o S.Padmanabhan,
Hindu, aged about
39 Years, Occ: Railway
Employee., S.C.Rly.,
Secunderabad.

Applicant/Applicant

And

1. The General Manager,
South Central Railway,
Secunderabad.

2. The Divisional Railway
Manager(MG) ., South
Central Railway,
Hyderabad.

3. The Chief Administrative Officer,
-Construction.,
Secunderabad.

Respondents/Respondents.

A F F I D A V I T

I.P.Rajalakshmi W/o S.Padmanabhan, Hindu, aged about
39 Years, R/o 12-10-1220, MediBhavi, Sithafalmandi, Secunderabad-361
Occupation: Casual Kalasi/Typist in the office of the Divisional
Engineer, Survey, South Central Railway, Secunderabad., do hereby
solemnly affirm and state on oath as follows:-

1. I submit that that I have worked in the Railways as a Casual Labour
for more than 365 days and as I have not been reinstated I filed
the O.A.No.378 of 1993 and hence I am well acquainted with the facts
of the case.

2. I submit that I filed the above O.A.378/93 on 7-4-93 ~~and~~ for
Re-instatement with backwages after making several representations
to the respondents from time to time and there is a delay of
5 Years 7 months and 6 days in filing this application from 1.9.87
to 7.4.93 and the delay has occurred as I was mislead on several
occasions and hence the Hon'ble Court may be pleased to condone the
delay, in the interest of justice and equity, otherwise I would be



P Rajalakshmi.2

and the office of the Trade Unions ,but I have not been given Card either by the Unions or by the General Manager's office. Therefore I again demanded for my re-instatement by a representation on 15-7-1991 and as there was no reply by the respondents to the same ,I requested my Counsel to give a notice and the notice was issued on 19.8.91.

9. I submit that the Cause of action continued in view of the Circulars dt.11.9.86, 2-12-87, 27-12-89 issued by the Railways and as such I made demands on 20-22-90 and on 15-7-1991 and as the same was not replied I got issued a Lawyer's notice on 19-91. As some Casual Labourers and Typists like me have been re-instated in to service between 1990-92 , I also waited anxiously for the past one and half Years and finally when all my attempts failed I got one more legal notice issued on 12.3.93 for which no reply was given by the Railways and hence filed the O.A. for the redressal of my grievance. Hence there is a delay on my part in filing this O.A. *There is sufficient Cause to Condonate delay.*

10. I submit that I was informed by the Trade Unions that my name is registered in the Supplementary Casual Labour Register and as such I have got a good case for re-instatement with backwages.

I therefore pray that the Hon'ble Court may be pleased to Condone the delay of 5 Years 7 months and 6 days , in the interest of justice and equity otherwise , I would be put to a great loss and hardship.

Last Page Corrns:Nil

P. Rajalakshmi
Deponent

Sworn and Signed her name in
my presence on this Friday the
6th Day of August 1993 at Hyderabad.

Before Me


Advocate.

5. I submit that I made a Representation on 3.10.86 to the Respondent No.1 in view of the Circular dated 11.9.86 and eagerly waited for Re-instatement as the officers of the Respondent No.2 and 3 have promised that they will take me back on to duty.

6. I submit that the General Manager's office issued another Circular No. P(R)407/6, dt. 2-12-87, in regard to the maintainance of Live Casual Labour Register for recording the Seniority list and the genuineness of application made by the Casual Labour and as per Cl.4 of the same Circular, the genuineness of the application should be verified, the old records will have to be referred to which may not at all be available at the same place and a period of one year for the same purpose was considered to be reasonable by the Railways itself and hence the same gave a hope to this applicant who thought that atleast after one year ~~she~~ she would be intimated. But the Railways have not intimated. As such I gave one more application on 5-4-88 and the same was replied. In the meantime the Railway Trade Unions were involving themselves in employing the Casual Labour as she approached them, they gave assurances to her stating that the unions have already taken up her case and she would be re-instanted and thus she was mislead for some more time. Hoping that she would be re-instanted, she gave an application on 22-2-90 to the Respondent No.1 and marked a Copy to the General Secretary of the Union and anxiously waited for the reply.

7. I submit that the Chairman Railway Board issued another Circular L.R.No.E/NG/2/88/CL/34, dt. 27.12.89 and as per the same the Respondents ought to have Re-instanted me in to services, but did not re-instate me.

8. I submit that after '89 Circular the General Manager, the Respondent No.1, according to the Trade Union Spokesmen issued employment cards to the Unions now and then to be given to the labourers like the applicant for their re-employment and hence hoping to get a Card I was going to the General Manager's office

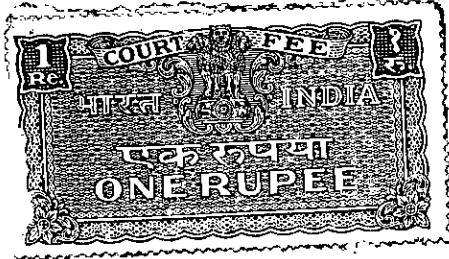


P. Rajalakshmi
Deponent

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fair, last case

IN THE CENTRAL ADMINISTRATIVE
TRIBUNAL: HYDERABAD BENCH.



M.A.No.59 of 1993

in

O.A.No.378 of 1993

Between:

Applicant
P.Rajalakshmi .. Petitioner

And

The G.M.Railsays
and 2 others. .. Resp

CONOME DELAY PETITION FILED UNDER
SEC.21(3) the A.T.Act, '85, Sec.5 of
the Limitation Act, R/W. Sec.151 C.P.C.

Copy will be served on
the opposite or some other
5 found. Yours
6/8

Filed on: 6-8-1993

By:

Y.V.Chalapathy Rao, B.Sc., LL.M.
G.Srinivas, B.Com.B.L.

Counsel for the Applicant.

