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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

O.A. NO. 1101/1997

Date of Decision:
22nd [24th] October, 1997

BETWEEN:

M. Lokesh .. Applicant

AND

1. The General Manager,
South Central Railway,
Rail Nilayam,
Secunderabad.
2. The Chief Mechanical Engineer,
Carriage Repair Shop,
S.C. Railway, Tirupati,
Chittoor District.
3. The Deputy Chief Mechanical -
Engineer, (Personnel Branch,
Carriage Repair Shop,
Tirupati, Chittoor District. .. Respondents

Counsel for the Applicant: Mr. P. Naveen Rao

Counsel for the Respondents: Mr. C.V. Malla Reddy

CORAM:

THE HON'BLE SRI H. RAJENDRA PRASAD: MEMBER (ADMN.)

ORDER

(Per Hon'ble Sri H. Rajendra Prasad: Member (Admn.)

Heard Mr. Naveen Rao for the applicant and Mr. C.V. Malla Reddy on behalf of the respondents.

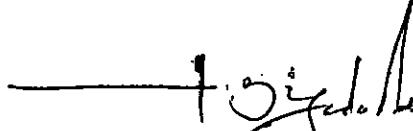
A land measuring 3 cents was acquired by the Railways in 1984 from the family of the applicant, among others, for establishing a carriage repair shop. Under the scheme mutually agreed upon by the Government of Andhra Pradesh and the Ministry of Railways, it was agreed that the latter would accord priority for providing employment to atleast one member of the family of such land-displaced persons. In pursuance of the scheme the railways issued a notification calling for applications from eligible persons in July, 1985. None, however, applied for

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a job from this land-losing family in response to the said notification. The family consists of the applicant's parents and three sisters besides himself. It is stated that the applicant was a minor in 1985 and he could not therefore apply for any job at the time. It is not clear why any other member of the family, if otherwise eligible, did not apply in response to the notification. It is stated that the family was waiting till the present applicant attained majority and thereby to become eligible for the post. According to the verification recorded on the O.A. the applicant is 21 years of age. This leads to an obvious inference that he attained majority 3 years ago in 1994. It is not known why the applicant waited until 18.11.1996 before making a representation. It would lead to a further inference that the applicant was not only not vigilant about his own rights but has been unaccountably tardy in pursuing his claim. The land was acquired, as already stated, in November 1984. The applicant, even when eligible on attaining majority in 1994, chose to move in the matter only two years later. The reasons for this delay are not explained.

It is well settled that the law and equity help only the vigilant. I do not find the pleas and contentions of the applicant acceptable. The OA is, therefore, disallowed.

Thus the OA is disposed of.


(H. RAJENDRA PRASAD)
MEMBER (ADMN.)

Date: 22nd October, 1997.

KSM

*Prashant
28/10/97
Deputy Registry*

O.A.1101/97.

To

1. The General Manager,
SC Rly, Railnilayam, Secunderabad.
2. The Chief Mechanical Engineer,
Carriage Repair Shop, SC Rly,
Tirupati, Chittoor Dist.
3. The Deputy Chief Mechanical Engineer, (Personnel) Branch,
Carriage Repair Shop, Tirupati,
Chittoor Dist.
4. One copy to Mr.P.Naveen Rao, Advocate, CAT.Hyd.
5. One copy to Mr.C.V.Malla Reddy, SC for Rlys CAT.Hyd.
6. One copy to HHRP.M.(A) CAT.Hyd.
7. One copy to D.R.(A) CAT.Hyd.
8. One spare copy.

pvm.

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Central Administrative Tribunal

Court

TYPED BY: CHECKED BY:

COMPARED BY: APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR.JUSTICE.

VICE-CHAIRMAN

And

THE HON'BLE MR. H. RAJENDRA PRASAD : M(A)

22/10/97

DATED: 22/10/97

Court

ORDER/JUDGMENT: CHECKED BY:

COMPARED APPROVED BY

M.A., RA., C.R. No.

Central Administrative Tribunal
Hyderabad Bench at Hyderabad

C.R. No. 1101/97

T.A. No. (W.P.)

22/10/97

VICE-CHAIRMAN

Admitted and Interim directions issued.

Allowed

Dismissed with costs. H.R.P.

Disposed of with Directions.

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected

No order as to costs.

केन्द्रीय प्रशासनिक अधिकारण
Central Administrative Tribunal
BY/DESPATCH

- 3 NOV 1997

हैदराबाद यायपोठ
HYDERABAD BENCH