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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: JAIPUR BENCH: JAIPUR.

O.A.No.262/96 & MA 202/96

Date of order: 27.5.97.

Radha Kishan, son of Shri Gopal Lal, P/o Village Aligarh,
District Tonk (Rajasthan).

: Applicant

Versus

1. Union of India through the Secretary, Ministry of Telecommunication, Deptt. of Telecom, Sanchar Bhawan, New Delhi.
2. The Director (Telecom), Railway Electrification Project, E-1/10, Community Centre, Janakpuri, New Delhi.
3. The Divisional Engineer, Telegraph (RE), Railway Electrification Project, Kota.
4. The Assistant Engineer, Telegraphs, Railway Electrification Project, Division, Sawai Madhopur.

: Respondents

None is present for the applicant

CORAM:


HON'BLE SHRI RATAN PRAKASH, MEMBER (JUDICIAL)

O R D E R

PER HON'BLE SHRI RATAN PRAKASH, MEMBER JUDICIAL

The applicant herein Shri Radha Kishan has approached this Tribunal under Section 19 of the Administrative Tribunal's Act, 1985 to get a declaration that retrenchment of the applicant by the respondents be declared illegal and they may be directed to reinstate him in service with all back wages and consequential benefits.

2. The facts relevant and as stated by the applicant in short are that the applicant was registered in the Employment Exchange, Tonk vide Registration No.2827/1985. On a memo dated 25.6.1983 issued by the Director General, Post & Telegraph and addressed to General Manager (Railway Electrification) dated 4.11.1984 it was desired that a candidate registered with the Employment Exchange and engaged by Mustering Officer beyond 16 kms from the concerned Employment Exchange may be treated as sponsored if their names are sent to the concerned by the Employment Exchange.



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The name of the applicant was sponsored vide letter dated 1.1.1987 but the date from ^{which} ~~the period~~ ^{of} his sponsorship was treated is 3.6.1986. The name of the applicant was sponsored on certain terms specified in Annexure A/1 including the rate of payment per day, entitlement of holidays and specifically mentioning that there shall be no guarantee of employment in regular service and permanency in the department. It was also provided that they can be removed from work, if found unsuitable by the Party Incharge i.e. Junior Engineer, Assistant Engineer and that they shall be required to work any where in Sawai Madhopur (RE) Division. The applicant worked upto June, 1987 for a period of 378 days as per details given in Annexure A/2. However, the applicant was retrenched illegally by the respondents w.e.f. 30.6.1987. He protested regularly to the respondents and has sent a last representation on 19.12.1995 (Annx.A/3). Aggrieved, he has approached the Tribunal to claim the aforesaid reliefs.

3. This OA has been pending admission since 7.5.1996. It was earlier dismissed in default on 6.2.1997. It was restored on 20.3.1997 but today also none has appeared on behalf of the applicant inspite of repeated calls.

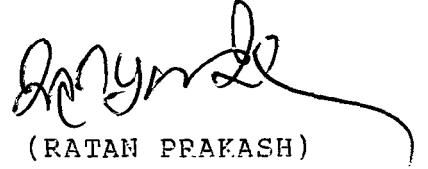
4. I have considered the grievance of the applicant in the OA. The applicant has miserably failed to exhibit that why he could not approach the Tribunal or the Competent Court after his alleged retrenchment on 30.6.1987. His representation dated 19.12.1995 (Annexure A/3) also does not extend limitation. There is no merit in the OA which is also barred by limitation.

5. Accordingly, this OA is dismissed at the stage of



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admission with no order as to costs. M.A. No.201/96 also stands dismissed accordingly.



(RATAN PRAKASH)

MEMBER (JUDICIAL)