

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH
CIRCUIT CAMP : INDORE

Original Application No. 1191 of 2005

Indore, this the 19th day of April, 2006

Hon'ble Dr.G.C.Srivastava - Vice Chairman
Hon'ble Mr.K.B.S.Rajan-Judicial Member

Arvind Gopal Malagee,
S/o Shri Gopal Malagee,
Aged 62 years, Occup: Nil
R/o 75, P&T Colony,
'Shanti Niketan',
Near Laxmanpura, Ratlam

- APPLICANT

(By Advocate - Shri Subodh Abhayankar)

Versus

1. Union of India through General Manager,
Western Railway, Churchgate, Mumbai.
2. Divisional Railway Manager (E), Western
Railway, Ratlam.
3. Senior Divisional Electrical Engineer (K.P.)
Ratlam

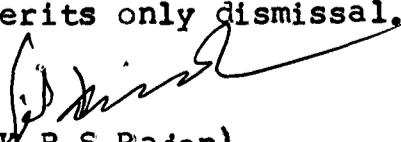
- RESPONDENTS

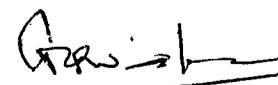
ORDER

By K.B.S.Rajan, JM.-

Heard the counsel. The order dated 30.5.2000 affords absorption in Railway service only prospectively and not retrospectively. Hence the applicant's railway service commenced only w.e.f. 20.4.2002 when he was absorbed as a diesel engine cleaner. The claim of the applicant to count his past service in Mhow Railway Consumer Co-operative Society is not as per any existing provisions of Rules/Regulations. The applicant does not establish any existing right but wants to create a new right, which is impermissible.

2. In view of the above, the OA, being devoid of merits, merits only dismissal. It is accordingly dismissed. No costs.


(K.B.S.Rajan)
Judicial Member


(Dr.G.C.Srivastava)
Vice Chairman