

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

**Original Application No.20/565/2019**

**Date of Order: 2.07.2019**

Between:

K. Muniratnam, S/o. K. Subrahmanyam,  
Aged about 37 years, R/o. Settipally Village,  
Tirupathi – 517 501, Chittoor District.

... Applicant

And

1. Union of India, Ministry of Railways,  
Rep. by its General Manager,  
South Central Railway,  
Rail Nilayam, III Floor,  
Secunderabad – 500 071.

2. Chief Workshop Manager,  
Carriage Repair Workshop (CRS),  
South Central Railway  
Renigunta Road, Settipalli Post,  
Tirupathi Post, Chittoor District.

... Respondents

Counsel for the Applicant ... Mr.K. Sudhakar Reddy

Counsel for the Respondents ... Mrs. Vijaya Sagi, SC Railways

***CORAM:***

***Hon'ble Mr. B.V. Sudhakar, Member (Admn.)***

***ORAL ORDER***

2. OA is filed seeking a direction to the respondents organization for appointment of the applicant under land losers (LDP) quota.
3. Brief facts of the case are that the applicant's father had wet land of 29 cents which was acquired by the respondents organization for establishing Carriage Repair Workshop with the proviso that an identified member of the land loser family member will be provided a job

in the Carriage Repair Workshop, besides paying compensation for the land. Applicant's father was paid compensation. However, when the applicant applied for a job under LDP quota it was rejected. Applicant represented several times and there being no response, OA 1793/2000 was filed wherein it was directed to dispose the representation made by the father of the applicant. Respondents misplaced the original representation and on being advised, a fresh representation was made, which too met the same fate. Consequently, applicant approached Hon'ble High Court in Writ Petition No 1119 of 2005 wherein it was directed to consider the case of the applicant. Once again, request was rejected on the ground that the applicant was under-aged. Then the matter was again carried to the High Court in WP No.7910 of 2007 wherein it was directed to approach the Tribunal with a proviso that the period of pendency of the writ petition should not be counted for the purpose of limitation. However, till date, the applicant has not got the relief sought and hence the OA.

4. The contentions of the applicant are that as per the agreement entered by the respondents, job has to be provided to the identified family member. In one another OA 1571/1998 seeking similar relief when allowed, it was contested in the Hon'ble High Court in WP No. 22666/2000 wherein it was held that since the respondents have not laid down any time frame for consideration of cases, even belated claims need to be entertained. Besides, similarly situated persons were provided employment.

5. Heard both the counsel and perused records placed on record.
6. I) Applicant sought a job from the respondents as his father has given 29 cents of wet land for setting up of Carriage Repair Workshop. Respondents agreed to provide a job to the identified family member of the land loser. However, applicant did not get the job despite moving the Hon'ble High Court and this Tribunal on several occasions as expounded in paras cited supra. In Writ petition No.22666/2000, Hon'ble High Court has held as under:

*“Since the Railway Administration have not laid down any time frame for consideration of such cases, which obviously resulted in belated claims by the second and third generations heirs of original losers, and therefore in the light of the scheme prevalent as on that date the case of the respondent therein needs to be considered.”*

- II) In view of the above observation of the Hon'ble High Court, the request of the applicant for an appointment in the respondents organization has to be considered. The Hon'ble High court has also held that delay in disposal of WP No.7910 of 2007 should not be held against the applicant on grounds of limitation. The observation of the Hon'ble High Court need to be abided by, in letter and spirit. Further, the applicant has also pointed out that similarly situated persons have been considered, but he was discriminated.

- III) In view of the above, respondents are directed to consider the OA as a representation and examine the same in the context of the various observations of the Hon'ble High Court/ Tribunal in different writ petitions/ OAs respectively as well as the terms and conditions of the

relevant agreement pertaining to the issue and thereafter, issue a speaking and a well reasoned order in a period of 8 weeks from the date of receipt of this order.

IV) With the above directions, the OA is disposed of with the concurrence of both the learned counsel. There shall be no order as to costs.

**(B.V. SUDHAKAR)  
MEMBER (ADMN.)**

Dated, the 2<sup>nd</sup> day of July, 2019

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