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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

OA NO. 1137/2003

This the 9th day of May, 2003

HON'BLE SH. KULDIP SINGH, MEMBER (J)

Shri Mahinder Pal
Khallasi
S/o Shri Nathi Lal
C/o Shri Madan Lal Bansal
DDA MIG Flat No.B-296,
Chitra Koot, Loni Road,
Shahdara,
Delhi-110093.

....Applicant

(By Advocate: Sh. P.S.Mahendru)

Versus

1. Union of India

Through

The General Manager,
North Eastern Railway,
Gorakhpur (UP).

2. The Chief Administrative Officer/Construction,
North Eastern Railway,
Gorakhpur (UP).

3. The General Manager,
Signal and Door Sanchar,
North Eastern Railway,
Gorakhpur (UP).

...Respondents

ORDER (ORAL)

Applicant has filed this OA alleging that he has been illegally terminated from service.

2. The facts in brief are that applicant was initially engaged as Khallasi and worked there from 16.7.80 to 5.4.83. Thereafter he was transferred to Lucknow and ultimately was absorbed as khallasi in the office of Resp. No.3 where he regularly worked w.e.f. 16.11.85 to 28.11.86. He has alleged that he had fallen ill and was diagnosed that he was suffering from T.B. Some time in the year 1992 he got cured.

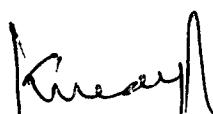
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(B)

Thereafter he has been making representation for resuming duties but he has not been allowed. He has submitted a mercy appeal also dated 22.11.2002. Applicant alleges that this has not yet been disposed of by the respondents. Counsel for applicant submits that respondents be directed to dispose of his representation.

3. Keeping in view the circumstances, I find that this OA can be disposed of at this stage itself with the direction to the respondents to dispose of the representation of the applicant within a stipulated period. Accordingly, I direct the respondents to dispose of the representation of the applicant within a period of 2 months from the date of receipt of a copy of this order, if not already decided.

4. However, I further observe that according to the applicant he has been absorbed as casual labour and after absorption also he has been working from 16.11.85 to 28.11.86 when he had fallen sick. So decision on the representation will not extend any period of limitation. This will not overcome the period of limitation. OA is disposed of with these directions and observations.


(KULDIP SINGH)
Member (J)

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