

* HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE M.GANGA RAO

+ Writ Petition No.38726 of 2017

% 16-11-2017

D.Ravinder, S/o late Komaraiah, aged about 40 years,
R/o H.No.2-69, Warangal-506 003

... Petitioner

Vs.

\$ 1. The Union of India, Rep. by its General Manager,
S.C. Railway, Rail Nilayam, Secunderabad-500 071

2. The Senior Deputy General Manager, S.C. Railway,
Rail Nilayam, Secunderabad-500 071

3. The Senior Divisional Personnel Officer,
O/o Divisional Railway Manager, S.C. Railway,
Secunderabad Division, Rail Sanchalan Bhavan,
Secunderabad

4. The Registrar, Central Administrative Tribunal,
Hyderabad
(R.4 is not necessary party)

... Respondents

! Counsel for the Petitioner: Mr. V.Krishna Swaroop

Counsel for Respondents 1to3: Mr. B.Bhaskar

Counsel for Respondent No.4: ---

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> Head Note:

? Cases referred:
Nil.

HON'BLE SRI JUSTICE V.RAMASUBRAMANIAN
AND
HON'BLE SRI JUSTICE M.GANGA RAO

Writ Petition No.38726 of 2017

Order: (per V.Ramasubramanian, J.)

Aggrieved by the dismissal of his original application by the Central Administrative Tribunal, Hyderabad, with respect to a claim for absorption into service, a person who rendered service as casual labourer for 17 months and that too during the period 1990 and 1992-93 has come up with the above writ petition.

2. Heard Mr. V.Krishna Swaroop, learned counsel for the petitioner.

3. Even admittedly the petitioner rendered service as a casual labourer, for a period of 4 months from 20-6-1990 to 15-10-1990 and for a period of 13 months from 03-3-1992 to 01-4-1993.

4. After having rendered such small service as casual labourer for a period of 17 months, the petitioner, even according to him, started making representations in the year 2008 and found out from a reply given to a query under the Right to Information Act, that the name of the petitioner was not included in the Live Register of Casual Labourers seeking absorption.

5. Therefore, he made a representation in the year 2009, seeking absorption. But the same was rejected by an order dated 06-10-2009. Without challenging the said order dated

06-10-2009, within a period of one year as stipulated by the Administrative Tribunals Act, 1985, the petitioner filed an original application in the year 2011 seeking absorption.

6. Finding that the claim of the petitioner was hopelessly barred by limitation and also that the petitioner was guilty of delay and laches, the Tribunal dismissed the original application forcing the petitioner to come up with the above writ petition.

7. Even according to the petitioner, he woke up to his rights only in the year 2008. In other words, he woke up after his last engagement as casual labourer 15 years earlier in the year 1993.

8. Even after he woke up, he was not diligent in pursuing his claim as against the rejection of his representation on 06-10-2009. He did not come up with an application before the Tribunal within a year. Even in the application filed before the Tribunal, he did not challenge the order of rejection. Therefore, the dismissal of his original application by the Tribunal, was perfectly in order and we see no justification to interfere with same. Hence, the writ petition is dismissed. The miscellaneous petitions, if any, pending in this writ petition shall stand closed. No costs.

V.RAMASUBRAMANIAN, J.

M.GANGA RAO, J.

16th November, 2017.

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Writ Petition No.38726 of 2017
(per VRS, J.)



16th November, 2017.
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