

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

RA 86/98 and RA 19/98
in OA 1212/94

New Delhi, this the 8th day of March, 1999

HON'BLE SHRI T.N. BHAT, MEMBER (J)
HON'BLE SHRI S.P. BISWAS, MEMBER (A)

(FAX)

RA 86/98

Union of India through

1. Secretary,
Railway Board,
Rail Bhawan,
New Delhi.
2. The General Manager,
Northern Railway,
Baroda House,
New Delhi.
3. The Divisional Superintending Engineer (Estate)
Office of Divisional Railway Manager,
Northern Railway, State Entry Road,
New Delhi.Review Applicants

(By Advocate: Shri R.L.Dhawan)

Versus

P.S. Chohan,
s/o Shri Rao Pithi Singh,
r/o Q.NO. 23/B,
Northern Railway Officers Colony,
Sardar Patel Marg, New Delhi.Opposite Party

(By Advocate: Shri B.B.Raval)

RA 19/98

P.S. Chohan,
s/o Shri Rao Pithi Singh,
r/o Q.NO. 23/B,
Northern Railway Officers Colony,
Sardar Patel Marg, New Delhi.Review applicant

(By Advocate: Shri B.B.Raval)

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3. The Divisional Superintending Engineer (Estate)
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(By Advocate: Shri R.L.Dhawan)

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O R D E R

delivered by Hon'ble Shri T.N.Bhat, Member (J)

We have heard the learned counsel for the parties.

2. As regards RA 86/98, in our considered view, this RA would not lie for the simple reason that the portion of the judgement with which respondents in the OA are aggrieved has not been included in the operative part of the judgement. We may, in this regard, mention that there was a disagreement between the two Hon'ble Members constituting the Bench which decided OA 1212/94 but in the operative part it has been stated that there is no case for reference to Hon'ble Chairman either for constitution of a Full Bench or for reference to a third Member as both the Hon'ble Members had agreed to dismiss the O.A. and there was no difference of opinion on any point.

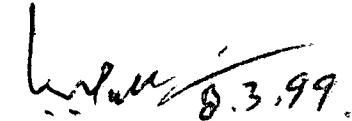
3. As regards RA 19/98 the applicant in the OA takes the plea that there is an error apparent on the face of the record as the Tribunal has not, while disposing of the OA, taken note of some important facts.

h.l.m.

4. We have carefully gone through the judgement dated 5.12.1997 a review of which is sought by the applicant in the OA and we find that the judgement is a detailed one and reasons have been given for not granting to the applicant in the OA the relief prayed for. We may mention here that the applicant had in the OA assailed the order passed by the respondents by which the applicant had been compulsorily retired as also the order by which his representation against the aforesaid order was rejected. We do not find any error apparent on the face of the record nor any fresh evidence which was not available at the time of disposal of the O.A. In our considered view the OA filed by the applicant was rightly dismissed.

5. Both the RAs i.e. RA 86/98 and 19/98 in OA 1212/94, accordingly, stand dismissed.


 (S.P. Biswas)
 Member (A)


 (T.N. Bhat)
 Member (J)

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