

Central Administrative Tribunal  
Principal Bench

RA 127/2000 IN

MA 1006/2000

O.A. 2031/1994

New Delhi, this the day of 22th October, 2001.

Hon'ble Shri S.R.Adige, Vice-Chairman(A)  
Hon'ble Dr.A Vedavalli, Member(J)

Union of India & Others ...Applicants.  
(By advocate: Shri V.S.R.Krishna)

Versus

Suresh Chand S/o Shri Mohar Singh,  
Monthly rated Casual Labour under  
Station Manager Central Railway,  
Mathura Jn. and 14 others. ...Respondents.  
(By advocate: Shri B.S.Mainee)

ORDER(Oral)

By Shri S.R.Adige, Vice-Chairman(A)

We have heard both sides on RA 127/2000 filed by Union of India and Others seeking review of the Tribunal's order dated 6.8.1999 in OA 2031/1994, Suresh Chand Vs. Union of India and Others.

2. The ground taken by respondents for review of the impugned order dated 6.8.99 is that the Tribunal committed serious error in observing that there was no separate seniority for the catering unit, because there was a seniority list exclusively for the catering unit to which applicants in this OA belonged, <sup>and</sup> they therefore could not be interpolated in the <sup>^</sup>panel dated 19.9.94 which <sup>^</sup>related to other than Catering Unit.

3. in this connection para 5 of the impugned order dated 6.8.1999 reads as follows:-

"We have carefully considered the submissions of the learned counsel of parties. We are satisfied with the contention of the applicants' counsel that the applicants belong to the Commercial Department. There was a

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common seniority for them. There is no question of any separate seniority for the Catering Unit. We have not been shown by the counsel for the respondents as to when the separate seniority for the Catering Unit has come into existence." (16)

4. From the above, it is abundantly clear that the Tribunal after applying its mind <sup>to the</sup> facts & circumstances of the case had satisfied itself that applicants belonged to the Commercial Department and there was a common seniority for them, and there was no question of any separate seniority for the Catering Unit to which applicant belonged. Hence this ground taken, cannot be stated to be an error apparent on the face of the record to bring its within the scope and ambit of Section 22(3)(f) of the AT Act, 1985 read with Order 47 Rule 1 CPC, under which alone any order/decision of the Tribunal can be reviewed.

5. That apart, we have also noticed that <sup>the</sup> RA has been filed after delay of nearly six months and although an MA has been filed seeking condonation of delay, the grounds contained therein are neither specific nor satisfactory.

6. RA 127/2000 is, therefore, dismissed.

*A. Vedavalli*

(Dr. A. Vedavalli)  
Member (J)

/kd/

*S.R. Adige*

(S.R. Adige)  
Vice Chairman (A)