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Central Administrative Tribunal
Principal Bench: New Delhi

R.A. No. 155/2000
O.A.No. 1782/1996

New Delhi this the 8th day of July, 2000

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. V.K. Majotra, Member (A)

Shri Kavi Ram
S/o Shri Rashika,
R/o Jhuggi No. 52, Near Railway Station
(Nila Gumbad), Nizamuddin East,
New Delhi-110013.

...Applicant

(By Advocate: Shri R.L. Dhawan)

Versus

Northern Railway,
through oits Divl. Railway Manager,
New Delhi.

...Respondent

ORDER (Oral)

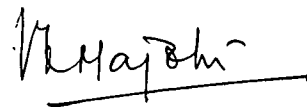
By Justice Ashok Agarwal, Chairman

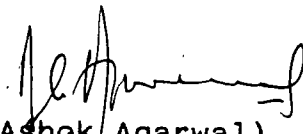
The present Review Application seeks review of an order which has been passed in the absence of the parties and their advocates in terms of Rule-15 of the Central Administrative Tribunal (Procedure) Rules, 1987. The order was passed during the period when the advocates were on strike. The same was disposed of on merits on the basis of available pleadings on record.

2. Review is sought on the ground that applicant had not impleaded the Union of India in the OA. Hence relief claimed in the OA could not have been granted on the ground of non-joinder of necessary parties. Reliance is placed on the decision of the Supreme Court in the case of Ranjit Mal Vs. General Manager Northern Railway reported in AIR 1977 SC 1701. In our view the said contention ^{cannot be entertained as the same} was not raised on

behalf of the respondents who are the Northern Railway in ^{its} the counter. Though the present R.A. is purported to have been filed on behalf of Union of India the same has been verified by none other than Divisional Superintending Engineer of the Northern Railway. It has, inter alia, been contended that the relief granted is in-consistent with the views expressed by the Supreme Court in the case of Union of India & Ors. Vs. Moti Lal 1996 (1) ATJ SC 625. In our view, aforesaid decision was not pointed out. Hence merely because the decision rendered by us is erroneous, the same does not become a ground for review.

3. Review Application in the circumstances is rejected.


(V.K. Majotra)
Member (A)


(Ashok Agarwal)
Chairman

cc.