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CENTRAL ADMINISTRATIVE TRIBUNAL
 PRINCIPAL BENCH: NEW DELHI

R.A. No. 456/93
 O.A. No. 568/93

6
 New Delhi this day 5th January 1994

HON'BLE MR. J.P. SHARMA, MEMBER (J)
 HON'BLE MR. B.K. SINGH, MEMBER (A)

Shri Bodh Raj Sharma,
 Son of Late Shri Charanjit Lal,
 Ex-Ticket Collector,
 Northern Railway,
 New Delhi-110 001.

... Applicant

By Advocate Shri B.B. Raval)

Vs.

1. Union of India
 through the Secretary,
 Railway Board
 Rail Bhawan,
 New Delhi.
2. The Divisional Railway Manager,
 Northern Railway, New Delhi.
3. The Divisional Railway Manager,
 Northern Railway, Ambala ... Respondent
 (By Shri B.K. Aggarwal)

ORDER (By Circulation)

Hon'ble Mr. J.P. Sharma, Member (J)

The review applicant prayed for reviewing the Order passed in the above O.A. dated 5.11.1993 whereby the relief of back wages for the period from the date of his removal from service i.e. 10.2.1987 till the date he joins was disallowed.

2. The grounds taken in the review application are that earlier O.A. No. 1308/88 was also decided in favour of the applicant and further when the respondents did not comply with the directions issued he filed another O.A. No. 1309/89 and thereafter he filed the CCP No.34/92 for non compliance of the direction given in subsequent O.A. No. 1309/89 decided on 31.7.1991. In view of the directions

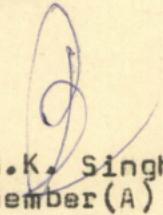
in the CCP the applicant filed the present O.A. and stated

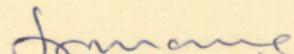
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that under the circumstances the applicant is not at fault and he should have been granted back wages with effect from 10.2.1987 till he joins the duty. Basically this is not a ground for review. In fact the misconduct alleged against the applicant was a subject of a departmental enquiry and in spite of the case being remanded to the respondents twice, they did not comply with the directions and therefore the relief was granted to the applicant. In fact the appellate authority did not consider the direction issued in the judgement in the earlier O.A. No. 1308/88 and O.A. No. 1309/89. We are fortified in our view by the authority of the Hon'ble Supreme Court referred to in the judgement. There is no cogent ground to review our findings on the ground of the back wages of the review applicant. The review application is devoid of merit and therefore dismissed.


(B.K. Singh)
Member(A)


(J.P. Sharma)
Member(J)

Mittal