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CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH
RA no.354/93 in
OA No.629/88

New Delhi this the 23rd Day of March, 1995.

Hon'ble Sh. N.V. Krishnan, Vice-Chairman (A)
Hon'ble Dr. A. Vedavalli, Member (J)

Pradeep Kumar,
S/o Sh. Hari Shanker,
R/o 144 Gurdwara, Nagra,
Jhansi. ...Applicant

(By Advocate Sh. B.B. Raval)

Versus

Divisional Railway Manager,
Central Railway,
Bombay VT. ...Respondent

(By Advocate Sh. K.S. Ahuja, proxy for Sh. Jagjit Singh,
Counsel).

ORDER(Oral)

Mr. N.V. Krishnan:-

OA-629/88 was dismissed by the order dated 18.8.93 by another Bench of this Tribunal. The applicant has filed this application seeking review of that order. The matter has come up for disposal in accordance with the directions of the Hon'ble Chairman.

2. We have heard the the learned counsel for the parties.

3. It is seen that one of the contentions of the respondents was that the OA was barred by limitation, as it was filed on 11.4.88. The learned counsel for the applicant submits that, prior to this date, this OA had been filed in the Allahabad Bench in February, 1987. Thereafter, the OA was retained in the Principal Bench by the orders of the Hon'ble Chairman. Therefore, in considering the question of limitation, these facts ought to have been taken into consideration.

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4. The second ground urged is that the respondents had forfeited the right to file a reply. Nevertheless, a reply was filed which was kept in part-'C' of the record. At the time of disposal, this reply was taken on record without notice to the applicant.

5. Hence, there are errors apparent on the face of record.

6. We have heard the learned counsel for the respondents also. He was unable to satisfy us that these are no sufficient grounds for review of the order.

7. We are satisfied that the order passed earlier suffers from errors apparent on its face and accordingly, the order sought be reviewed is recalled. The OA will be heard afresh. The R.A. is, therefore, allowed and the OA be listed for re-hearing on 9.5.95.

Akdenurh

(Dr. A. Vedavalli)
Member(J)

'Sanju'

N.V. Krishnan
23.3.95

(N.V. Krishnan)
Vice-Chairman(A)