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CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH

ALLAHABAD

DATED : THIS THE 16 DAY OF MAY 1997

Coram : Hon'ble Mr. S. Das Gupta AM
Hon'ble Mr. T. L. Verma JM

REVIEW APPLICATION NO. 42/96 IN O.A. NO. 117/96

Union of India through

(1) The General Manager, C. Railway

V. T. Bombay.

(2) D. R. M., C. Railway, Jhansi - - - - - Applicants

C/A Sri G. P. Agrawal

Versus

1. President, Rashtriya Chaturth Shreni

Mazdoor Sangh (INTUE) situated

2/236, Namner, Agra.

2. The Presiding Officer, C.G.I.T.-cum-

Labour Court, Pandu Nagar, Deoki Palace Road

Kanpur. - - - - - Respondents

Order

By Hon'bl Mr. S. Das Gupta AM

This application has been filed seeking review of the judgment and order dated 12.2.1996 by which O.A. No. 117/96 was dismissed by a bench of this Tribunal.

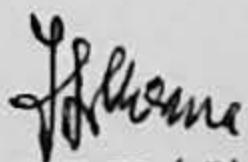
2. In the aforesaid O.A., Union of India through the General Manager, Central Railway, Bombay V.T. challenged the award dated 31.7.1995 passed by the Presiding Officer, Central government Industrial cum-Labour court, Kanpur. After considering the rival pleadings, the Tribunal found no reasons to interfere with

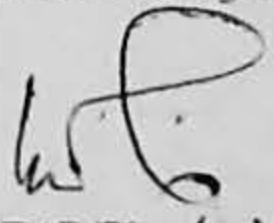
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the award and accordingly the O.A. was dismissed.

3. In the Review Application, which has now been filed, various grounds have been taken. ~~Six~~ ^{the} Issues ~~have now been~~ ^{not} stated and the Review application can be disposed of on short point.

4. It has since been held by the Hon'ble Supreme court that the Tribunal shall have no jurisdiction in ~~the subject~~ matter arising out of decision of the Labour Court. Thus the O.A., which was filed before this Tribunal, challenging the Labour Court's decision was in any case not maintainable. However, since the aforesaid law was laid down by Hon'ble Supreme court only subsequent to the decision of the O.A., Tribunal went into the merits of the case and decided not to interfere in the Labour Court's award. At this stage when the law has already been laid down by the Hon'ble Supreme court that such matter should not be taken cognizance of by this Tribunal, the Review Application itself is no maintainable and is accordingly dismissed.


MEMBER (J)


MEMBER (A)

SQI