

**CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH**

**MA/020/389/2020 in RA/020/1/2021 in OA/020/579/2014 &
RA/020/1/2021**

HYDERABAD, this the 12th day of February, 2021



Hon'ble Mr. Ashish Kalia, Judl. Member

Hon'ble Mr. B.V. Sudhakar, Admn. Member

1. Union of India rep. by
General Manager,
East Coast Railway,
Bhubaneswar, Orissa – 751017.
2. The Chief Administrative Officer (Construction),
East Coast Railway,
Bhubaneswar, Orissa – 751017.
3. The Senior Personnel Officer (Con)/ Coordn,
East Coast Railway,
Bhubaneswar, Orissa – 751 017.
4. The Chief Engineer (Construction),
East Coast Railway,
Bhubaneswar, Orissa – 751 017.
5. The Dy. Chief Engineer (Construction),
East Coast Railway,
Visakhapatnam – 530 016.
6. The Assistant Executive Engineer (Construction)(,
East Coast Railway,
Visakhapatnam – 530 016.
7. The Senior Personnel Officer (Construction),
East Coast Railway,
Visakhapatnam – 530 016.

...Applicants /Respondents in OA

(By Advocate : Sri N. Srinivasa Rao)

Vs.

T. Prabhakar Rao,
S/o. Late Krishnamurthy Patnaik,
Aged about 63 years,
Occ: Retd. Head Clerk, Stores Depot,

O/o. Dy. CE(C)/VSKP,
East Coast Railway, Visakhapatnam,
R/o. D.No.1-15-1, Plot No.402,
Ratnam Arcade, Opp. Baptist Church,
Cantonment, Vizianagaram – 535 003, AP.



....Respondent /Applicant in OA

(By Advocate : Sri V. Ravindranath Reddy)

ORAL ORDER
(As per Hon'ble Mr. Ashish Kalia, Judicial Member)

Through Video Conferencing:

Heard Sri N. Srinivasa Rao, learned counsel for the applicants in RA and Sri V. Ravindranath Reddy, learned counsel for the respondent in RA.

2. The RA is filed seeking review of the order dated 23.01.2020. According to the learned counsel for the Review Applicants herein, they have received the copy of the order on 10.02.2020 and 30 days time is counted from that date which will be 09.03.2020. Due to Covid, Lockdown was imposed on 22.03.2020 and hence, there is a delay of 15 days in filing the RA. However, this application is filed on 22.09.2020. Learned counsel has apprised us by oral arguments that the Hon'ble Supreme Court has extended limitation under all Acts during this period.

3. On the contrary, learned counsel Sri V. Ravindranath Reddy, has submitted in his reply that there is no power to condone the delay as per the decision of the Hon'ble High Court in WP.No.21734/1998 and the delay is not of 15 days but it is of 195 days.

4. This Tribunal, after hearing both sides, is of the view that there is an error apparent on the face of the record. Learned counsel for the parties were present when the order was passed but none of them have pointed out that the applicant has already been reverted on 21st May 2004.



5. Thus, we are of this view that the delay in filing RA during the Covid period is liable to be condoned. Hence, it is condoned. Accordingly, MA.389/2020 is disposed of. Register the RA.

6. The order passed by this Tribunal is erroneous in this regard. The same is set aside. Accordingly, RA is disposed of.

(B.V.SUDHAKAR)
ADMINISTRATIVE MEMBER

(ASHISH KALIA)
JUDICIAL MEMBER

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