

RESERVED

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Review Appn.No.109 of 1988

In

Registration O.A. No.1058 of 1988.

Mohd.Yusuf Khan Applicant

Versus

Union of India & Others Respondents.

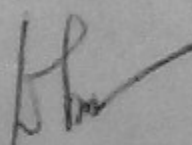
Hon.D.S.Misra, A.M.

Hon.G.S.Sharma,J.M.

(By Hon.D.S.Misra, A.M.)

In this review petition a prayer has been made for reappraisal of the issue on the question of limitation in O.A. No.1058 of 1988 which was rejected at the admission stage on the ground that the application was filed beyond the period of limitation prescribed under Section 21 of the Administrative Tribunals Act XIII of 1985.

2. We have heard the learned counsel for the applicant Shri R.S. Ojha and we have gone through the records of the case. It appears that there is one factual error in our order regarding the date of filing of the original application, In so far as the date mentioned in the order is 14.4.1988 whereas the application was filed on 5.9.1988. The applicant had filed a copy of an order dated 1.8.1988 of Divisional Railway Manager, North Eastern Railway,



Lucknow informing the applicant that the matter of the applicant's proforma promotion as TTE and seniority was still under the consideration of the Railway Board. We have reconsidered the matter and we find that the issue under consideration in the original application was still under the consideration of the Railway Board when the petition was filed and a period of six months had not elapsed since then. In this view of the matter we are of the opinion that a final order has yet to be passed by the competent authority.

3. Accordingly we recall our order dated 14.9.1988 in O.A. No.1058 of 1988 and admit the application for adjudication. Let a notice be issued to the opposite parties to file reply within six weeks. The applicant may file rejoinder within two weeks thereafter. List it before D.R.(J) on 10.3.1989 for fixing a date of hearing.

Subramanian
Member (J)

Sharma
9/1/89
Member(A)

Dated the 9th Jan., 1989.

RKM

*श्री १८. श्रीम. २०१५२१३५५. श्री २०१५२१३५५
३१-१२-८९.*