

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD

Dated: Allahabad, the 4th day of May, 2001

Coram: Hon'ble Mr. S. Dayal, AM

Hon'ble Mr. Rafiq Uddin, JM

REVIEW APPLICATION NO. 100 OF 1996

IN

ORIGINAL APPLICATION NO. 783 OF 1994

Hori Lal,
s/o Bhallu Prasad,
r/o 356/8, Rail Bazar,
Cantt. Kanpur Nagar.

. Applicant

(By Advocate: Sri B.N. Singh)

versus

Union of India through
Divisional Rail Manager,
Northern Railway,
Allahabad Division,
Allahabad and others.

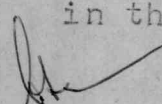
. Respondents

(By Advocate: Sri

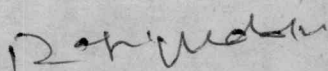
ORDER (ORAL)

(By Hon'ble Mr. S. Dayal, AM)

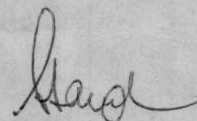
This Review Petition has been filed for declaring that the Original Application filed by the applicant is not maintainable before the Tribunal in view of the law laid down by Hon'ble Supreme Court in the judgment reported in SCC 1996 (1), Page 69.



2. It is true that the Hon'ble Supreme Court of India in Special Leave to Appeal No.2041 of 1995 by a judgment dated 6.11.95 has laid down that the Central Administrative Tribunal had no jurisdiction to entertain Application under Section 19 of the Administrative (Tribunals) Act, 1985 against the award/order of the Labour Court. However, in the case of review before us a Co-ordinate Bench of this Tribunal had passed the order dated 25th July, 1996 in OA No.783 of 1996 remanding the case to the Industrial Tribunal for giving an opportunity to the applicant of filing written statement within a reasonable period of time and then deciding the matter. Since a Co-ordinate Bench of this Tribunal had taken cognizance of the OA and passed final orders, matter should appropriately be challenged before appropriate forum. A review of the case under the circumstances will not be maintainable. Hence, the Review Petition is, thus, dismissed. The applicant may file appeal before the appropriate forum, if so advised.



(RAFIQ UDDIN)
JUDICIAL MEMBER



(S. DAYAL)
MEMBER (A)