

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 19th day of March, 2004.

QUORUM : HON. MR. JUSTICE S.R. SINGH, V.C.
HON. MR. D. R. TIWARI, A.M.

O.A. No. 400 of 2000

Hinchhu S/O Late Sri Satai, Ex-Gangman under PWI, Northern
Railway, Chunar P/O Village Bihasara Khurd, Post-Bihasana,
District Mirzapur..... Applicant.

Counsel for applicant : Sri C.P. Gupta.

Versus

1. Union of India through the General Manager, Northern
Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Allahabad.
3. Divisional Superintending Engineer (I), Northern Railway,
D.R.M. Office, Allahabad.
4. Assistant Engineer, Northern Railway, Chunar.
..... Respondents.

Counsel for respondents : Sri Mohd. Yusuf.

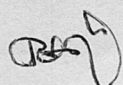
O R D E R (ORAL)

BY HON. MR. JUSTICE S.R. SINGH, V.C.

Heard Sri S. Ram holding brief of Sri C.P. Gupta,
learned counsel for applicant, Shamshida Tyagi holding brief
of Sri Mohd. Yusuf, learned counsel for respondents and also
perused the pleadings.

2. Counsel for the applicant prays for and ^{is permitted} granted to
implead A.D.R.M. of the concerned Railway as party
respondent.

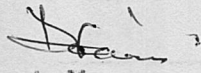
3. The applicant was removed from service vide order
dated 24.7.96 passed by Assistant Engineer, Northern Railway,
Chunar. Aggrieved against the said order, the applicant
preferred an appeal which came to be dismissed by order
dated 4/7.4.97. It is alleged in paragraph 4.9 of the O.A.
that thereafter the applicant preferred a revision petition
on 20.5.97 to the Additional Divisional Railway Manager. A

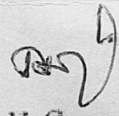


copy of the memo of revision has been annexed as Annexure A-10. The revision petition, it appears, has not been decided. In paragraph 11 of the C.A. it is stated that since the revision petition has been sent to the Additional Divisional Railway Manager, Allahabad ^{id-2} ~~which~~ was not received in the Office of the Divisional Superintending Engineer, Northern Railway, The Appellate Authority. There is no categorical denial with effect that the revision petition was filed in the office of A.D.R.M. on 20.5.97.

4. Considering the facts and circumstances of the case, we dispose of the O.A. with a direction to the A.D.R.M. to consider and dispose of the review petition by means of a reasoned and speaking order under intimation to the applicant within a period of four months from the date of receipt of a copy of this order.

No order as to costs.


A.M.


V.C.

Asthana/