

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Review Application No. 49 of 2003

In

Original Application No. 634 of 2003

Allahabad this the 23rd day of January, 2004

Hon'ble Mr. Justice S.R. Singh, Vice Chairman,
Hon'ble Mr. D.R. Tiwari, Member (A)

Rajeev Yadav, Son of Shri Mangru Yadav, Telecom
District Manager, Bharat Sanchar Nigam Ltd., Jaunpur
Staff No.2104.

Applicant

By Advocates Shri D.N. Dubey
Shri R.C. Srivastava

Versus

1. Union of India through the Secretary, Ministry of Communication, Govt.of India, New Delhi.
2. The Director General, Department of Telecommunication, Govt. of India, Sanchar Bhawan, New Delhi.

Respondents

By Advocate Shri

O R D E R

By Hon'ble Mr. Justice S.R. Singh, V.C.

Heard Shri R.C. Srivastava, learned counsel appearing for the applicant and perused the review application.

2. The order dated 30.01.2003 was ^{1/2} subject matter of challenge in the O.A. instituted under Section 19 of the Administrative Tribunal Act, 1985. The said order infact was passed by on or behalf of the President, as such, no appeal lay against the said order. The remedy of review under Rule 29 A of C.C.S.(C.C.A.) Rules,1965 was ^{2/2} not admittedly available. However, the O.A. was

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disposed of by the Judgment and Order dated 05.06.2003 on the assumption that the order dated 30.01.2003 was appealable and accordingly, it was provided in the order passed by the Tribunal that in case the applicant filed appeal within two weeks, same would be considered and decided in accordance with law treating the same within time. The applicant had in fact already filed a review petition on 15.04.2003 under Rule 29A of C.C.S.(C.C.A.) Rules, 1965. Accordingly the present review application is disposed of with a direction that the review petition filed by the applicant under Rule 29 A of C.C.S.(C.C.A.) Rules, 1965 shall be considered and disposed of within receipt of a period of two months from the date of a certified copy of this order. The Judgment and Order dated 05.06.2003 passed by the Tribunal while disposing of the O.A., stands modified accordingly.

[Signature]
Member (A)

[Signature]
Vice Chairman

/ M.M. /