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Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

Original Application No. 975 of 2006

Thursday, this the **13th** day of **March**, 2008

Hon'ble Mr. A.K. Gaur, Member (J)
Hon'ble Mr. K.S. Menon, Member (A)

Vijay Pratap Singh S/o Late Bujharat Singh, R/o Village & Post
Bhitaure, Mankapur, Gonda.

Applicant

By Advocate Sri S.K. Om

Versus

1. Union of India through General Manager, N.E. Railway,
Gorakhpur.
2. Divisional Commercial Manager, N.E. Railway, Lucknow.
3. Senior Divisional Commercial Manager, N.E. Railway,
Lucknow.
4. Additional Divisional Railway Manager, N.E. Railway,
Lucknow.

Respondents

By Advocate Sri A.K. Sinha

ORDER

By A.K. Gaur, Member (J)

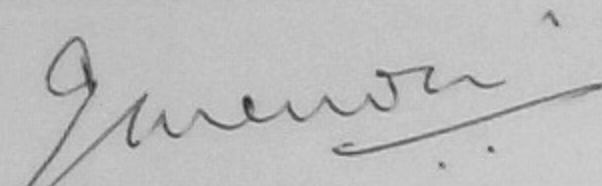
Having heard Sri S.K. Om, learned counsel for the applicant and Sri A.K. Sinha, learned counsel for the respondents at length, we are of the firmed opinion that Revisional Order dated 15.06.2006 is cryptic, non speaking and deserves to be set aside in view of the decision rendered by Hon'ble Supreme Court in the case of Narinder Mohan Arya Vs. United India Insurance Co. Ltd. and others 2006 SCC (L&S) 840. In the case of Narinder Mohan Arya (supra), the Hon'ble Supreme Court was of the view that the Revisional Authority was bound to consider the facts as well as the contentions raised by the employee. Moreover, such application of mind ought to have been apparent from the Order passed by it. The employee raising serious contentions in

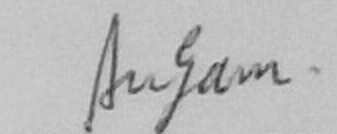
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Revision, the Revisional Order must contain reasons so as to enable this Tribunal to ascertain whether there was application of mind to the required points. ~~Accordingly,~~ In our opinion, the matter deserves to be remanded for reconsideration of Revisional Authority.

2. In view of the above observation, the Revisional Order dated 15.06.2006 is quashed and set aside with direction to Revisional Authority to decide the Revision, preferred by the applicant, afresh in accordance with Rules and after taking into account the grounds taken in the Memorandum of Revision, within a period of three months from the date a certified copy of this Order is produced before him.

3. With the above directions, O.A. stands disposed of. No order as to costs.


Member (A)


Member (J)

/M.M/