

UNDER CIRCULATION

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD

REVIEW APPLICATION NO.59 OF 2007
IN
ORIGINAL APPLICATION NO.1315 OF 2006

ALLAHABAD THIS THE 7th DAY OF August 2007

HON'BLE MR. ASHOK S. KARAMADI, MEMBER-J
HON'BLE MR. K. S. MENON, MEMBER-A

1. Union of India,
through Chairman,
Railway Board, New Delhi.
2. General Manager, North Central Railway,
Allahabad.
3. Divisional Railway Manager,
North Central Railway, Jhansi.

. Respondents-Applicants

By Advocate : Shri Ravi Ranjan

Versus

Rajesh Kumar Shivhare,
Aged about 44 years,
Son of Shri Bhajan Lal Shivhare,
Resident of Shivhare STD Centre below LIC Building,
Dabra, District Gwalior.

. Applicant-Respondent.

By Advocate :

O R D E R

HON'BLE MR. ASHOK S. KARAMADI, MEMBER-J

This Review Application has been filed against the order dated 25.05.2007, passed in OA No.1315/06. By the said order after hearing the learned counsel for the applicant we held that the relief sought for by the applicant in the OA cannot be granted and further we directed the respondents to consider and decide the representation of the applicant if the same is presented within 15 days and to pass a reasoned and



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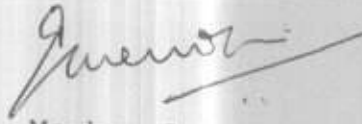

speaking order within a period of three months. The grounds urged in the review application are that the OA was decided at the admission stage without calling for the CA and issuance of notice to the respondents, and further stated that the OA should have been dismissed on the ground of delay and laches. The other grounds urged are also pertains with regard to limitation. On perusal of the order passed and the grounds taken in the review application the apprehension of the respondents have no cause in entertaining this review application in view of the fact that by the said order it is clearly stated that the relief claimed by the applicant cannot be granted but however, the respondents are directed to consider and decide the representation of the applicant if the same is presented by the applicant by passing reasoned and speaking order, this clearly goes to show that by this order all it is said is to pass a reasoned and speaking order that means in accordance with law and the rules, and, therefore, it is within the purview of the respondents to pass appropriate order, as there is no decision or consideration of the applicant grievances is considered in the order dated 25.05.2007, having regard to this clarification the applicant will not accrue any right, and the rights of the respondents are also not taken away in passing appropriate orders in accordance with law.

Therefore, in the absence of any error apparent on the face of the record, in view of the foregoing



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reasons by clarifying the same this Review Application
is dismissed.


Member-A
Member-J

/ns/