

Date of order : 11.03.99.

1. R.A. No. 3/1999
in O.A. No. 127/97
2. M.A. No. 39/99 in RA No. 3/99
in O.A. No. 127/97
3. M.A. No. 38/99
in O.A. No. 127/97

1. Union of India through General Manager, Northern Railway, Baroda House, New Delhi.
2. Divisional Railway Manager, Northern Railway, Delhi Division, New Delhi.
3. The Dy. Chief Engineer (Construction), Northern Railway, Bikaner.
4. The Chief Administrative Officer (Construction), Headquarters Office, Kashmiri House, New Delhi.

Applicants (Respondents in the O.A.)

v e r s u s

Rakesh Kumar Sharma son of Shri Sita Ram r/o. Lal Garh Railway Quarter No. 241-D, Old Railway Colony, Bikaner, at present employed on the post of M.C.C. in the office of PWI (C), Lal Garh, Northern Railway.

Respondent (Applicant in the O.A.)

4. R.A. No. 4/1997
in O.A. No. 407/1996
5. M.A. No. 41/1999 in R.A. No. 4/1999
in O.A. No. 407/1996
6. M.A. No. 40/1999
in O.A. No. 407/1996

1. Union of India through the General Manager, Northern Railway, Baroda House, Headquarter, New Delhi.
2. The Chief Administrative Officer (Construction), Northern Railway, Kashmiri Gate, Delhi.
3. The Dy. Chief Engineer (Construction), Northern Railway, Bikaner.
4. Permanent Way Inspector (Construction), Northern Railway, Suratgarh.

5. Divisional Personnel Officer, Northern Railway, New Delhi.

... Applicants (Respondents in the O.A.)

v e r s u s

Lal Jee son of Shri Shyamoo Ram working as Material Checking Clerk under Permanent Way Inspector (Construction), Northern Railway, Suratgarh, r/o. E-35B, Railway Colony, Near Railway Hospital, Suratgarh.

... Respondent (Applicant in the O.A)

ORDER

(Per Hon'ble Mr. Gopal Singh)

The above Review Applications have been filed by the applicants (respondents in the respective OAs) under Section 22 of the Administrative Tribunals Act, 1985, praying for a review of the order passed by this Tribunal on 13.11.1998 in O.A. Nos. 407/96 and 127/97 on the ground that the Railway Board Circular dated 11/15.2.1991 was not applicable to the applicants (respondents in the present RAs) and as such there has been an error apparent on the face of the record.

2. In M.A. No. 41/99 in R.A. No. 4/99 and M.A. No. 39/99 in R.A. No. 3/99, the applicants (respondent in the OA) have prayed for condonation of delay in submission of respective Review Applications. It has been submitted that the delay has been caused in processing the case in the administrative department. The explanation submitted for condonation of delay appears justifiable and both these MAs are accordingly allowed. The aforesaid MAs stand disposed of accordingly. We would now proceed to dispose of the Review Applications.

3. We have considered the records of the case and find that the arguments adduced now by the applicants (respondents in the OAs) was also adduced before the Tribunal during the course of hearing of the aforesaid OAs and that arguments were given due consideration by the Tribunal while arriving at the conclusion.

4. We, thus, do not find any error apparent on the face of the record and as such both the R.A. No. 3/99 in OA No. 127/97 and R.A.

No. 4/99 in OA No. 407/96 are hereby dismissed.

5. In M.A. No. 40/99 in OA No. 407/96 and M.A. No. 38/99 in OA No. 127/97, the applicants (respondents in the OAs) have prayed for staying the operation of the order dated 13.11.1998 passed by this Tribunal in respective OAs till the Review Application Nos. 3/99 in OA No. 127/97 and 4/99 in OA No. 407/96 are disposed of. The Review Applications in question have since been disposed of, these MAS have become infructuous and are disposed of accordingly.

Sd/-

(Gopal Singh)
MEMBER (ADMN.)

CVR.

Sd/-

(A.K. Misra)
MEMBER (JUDL.)

प्रमाणित
सत्य प्रतिलिपि
15/3/99
प्रमुख अधिकारी (न्यायिक)
केन्द्रीय प्रशासनिक अधिकरण
जोधपुर न्यायपीठ, जोधपुर