

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

O.A. 622 of 97

Date of Order 26.3.98

Present : Hon'ble Dr. B.C. Sarma, Administrative Member.

Hon'ble Mr. D. Purkayastha, Judicial Member.

Habibur Rahaman

- v e r s u s -

Eastern Railway

For the applicants : Mr. B. Mukherjee, counsel.

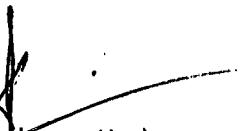
For the respondents : Mr. P.K. Arora, counsel.

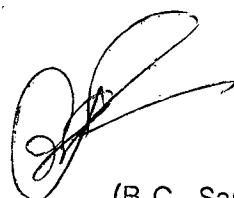
O R D E R

B.C. Sarma, AM

This O.A. has been listed on the prayer of Mr. Mukherjee, Id. counsel for the applicant in the said O.A. During hearing today, there has been a mistake in the description of the name of the father of the applicant in the order dated 19.2.98 in the said O.A. Accordingly, Mr. Mukherjee Prays for correction of the name of the applicant's late father Mufizuddin Mondal instead of Md. Mufijudin Rahaman Mondal. We have considered the submission of the Id. counsel for both the parties and perused records. We find that there is no error or mistake in the order dated 19.2.98. However, Mr. Mukherjee, Id. counsel submits that as per Pension Payment Order under the Pension Case No. PEN/SDAH/20354 dated 13.9.95, the applicant's father's name has been described as Lt. Mofizuddin Mondal. Mr. Mukherjee, Id. counsel relies that documents and also submits that if the same does not occur in the judgment the applicant will not be given the benefit by the respondents.

2. Ordinarily the submission of Mr. Mukherjee, Id. counsel should have been rejected by us since there is no error in the order passed by us on 19.2.98. But we have no doubt that the applicant might be denied the benefit of the judgment passed by us, if this anomaly is not rectified. We, therefore, order in view of the special facts and circumstances of this case and as an exceptional measure that the name of the father of the applicant mentioned in the judgment dated 19.2.98 in the O.A. 622 of 97 be corrected as Lt. Mufizuddin Mondal at the risk of the applicant. We give further time of two months from today to the respondents to implement this order.


(D. Purkayastha)
Member (J)


(B.C. Sarma)
Member (A)

a.k.c.