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**CENTRAL ADMINISTRATIVE TRIBUNAL,  
LUCKNOW BENCH,  
LUCKNOW.**

**Review Application No. 65 of 2004**

**In re.**

**Original Application No. 01 of 1996**

This the 18th day of November, 2011

**Hon'ble Mr. Justice Alok K Singh, Member-J**

**Hon'ble Mr. S.P. Singh, Member-A**

1. Union of India through General Manager, N.R.,  
Ministry of Railways, Government of India,  
Baroda House, New Delhi.
2. DRM, N.R., Hazratganj, Lucknow.

.....Applicants

By Advocate : Sri Bhupendra Mishra for Sri Arvind  
Kumar

Versus.

Munna-II, S/o late Shiv Charn, Ex-Shunter under  
Loco Foreman, Running Shed, Northern Railway,  
Lucknow.

.....Respondent.

By Advocate : None

**O R D E R (Oral)**

**By Justice Alok K Singh, Member-J**

This Review Application was filed in the year 2004. On 24.9.2010 a detailed order, running into 3 pages, was passed by this Tribunal observing that the judgment in question has to be reviewed in view of some decision in earlier O.A. no. 421 of 1994, which was concealed by the applicant when he filed O.A. no. 1 of 1996, which was decided in his favour. Simultaneously, it was also observed that the

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applicant in the O.A. retired from service on 31.5.1993 as has been dealt with by the Tribunal in O.A. no. 421 of 1994, there was no occasion to reappraise any pleadings or evidence on behalf of the applicant through another O.A. Hence, there was an error crept on the facts as well as on law. But before passing the final order, it was noticed that the applicant has unfortunately died and a substitution application has been filed by his wife Smt. Shanti Devi. Therefore the applicants i.e. Union of India and Divisional Railway Manager were directed to give correct address of Smt. Shanti Devi so that the notice may be issued to her in respect of substitution matter.

2. In furtherance of that order, the correct address was furnished by the applicants and notice was sent to the respondent by registered post as reported by the office on 28.4.2011. But it has not been received back. Since the notice has been sent on correct address by means of registered post and sufficient time has elapsed, it is presumed that the notice has been sufficiently served upon her, But nobody has turned up.

3. As it is a 7 years old Review application, we have ourselves perused the entire material available on record and proceeded with the matter.

4. As nobody has turned up in spite of notice, M.P. no. 2069 of 2009 for substitution is hereby allowed in the absence of any Objection.

5. In the light of the observations made in para nos. 4 & 5 of this Tribunal's order dated 24.9.2010, the

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final order dated 19.3.2004 passed in O.A no. 01 of 1996 is hereby reviewed and O.A. is dismissed. This O.A. no. 1/96 also deserves dismissal on account of the fact that the applicant in the O.A. has died as noted above. His widow may have lost interest in prosecuting this case. Be that as it may. The O.A. no. 1/96 stands dismissed having been abated. No order as to costs.

*S.P. Singh*  
18.11.11  
**(S.P. Singh)**  
**Member-A**

*Alok K. Singh*  
18.11.11  
**(Justice Alok K. Singh)**  
**Member-J**

*Girish/-*