

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE 21ST AUGUST, 1987

Present: Hon'ble Justice Shri K.S. Puttaswamy Vice-Chairman

Hon'ble Shri P. Srinivasan

Member (A)

R.A. Nos. 104, 107 and 108 of 1987

1. The Divisional Railway Manager,
South Central Railway,
Hubli.
2. The General Manager,
South Central Railway,
Secunderabad (A.P.)
3. The Railway Board,
represented by its Chairman,
Rail Bhavan, New Delhi.
4. The Union of India,
represented by the Secretary,
Ministry of Railways, Rail Bhavan,
New Delhi.

Applicants

(Shri M. Sreerangaiah...Advocate)

Shri B.V. Venkoba Rao, son of
B.V. Venkatkrishnaiah, major,
residing at No.331,
Aloor Venkatrao Road,
Bangalore-560 002 and also
care of M.S. Purushothama Rao,
No. 497, Avenue Road,
BANGALORE - 560 002.

2. A.R. Joshi, No.316, Dharwani/
House II Cross, S.P.M.Road,
Belgaum.
3. B.B.Gujjar, No.281,
Chidambarnagar,
Anagool Road, Belgaum

Respondents

This application has come up for hearing before
this Tribunal to-day, Hon'ble Justice Shri K.S.
Puttaswamy, Vice-Chairman made the following :

O R D E R

These are applications made by the applicants
under Section 22(3)(F) of the Administrative Tribunal
Act for review of the orders made in A.Nos. 657/87,
1671/86 and 1670/86. The applicants herein were
respondents in those applications.

2. In making these applications for review, there is delay and therefore the applicants have filed applications for condonation of delay.

3. We are satisfied that the facts and circumstances stated by the applicants constitute a sufficient ground for condonation of delay in making the applications. We, therefore, allow the applications for condonation of delay and condone the delay in making applications in all these cases.

4. The main judgement of this Tribunal has been rendered in A.No. 657/86, which is the subject matter of review in R.A. No.104/87. In the other two cases this judgement has been only followed.

5. On a detailed examination, this Tribunal in Venkoba Rao's case (A.No. 657/86) has held that the applicant was entitled for consideration of his case for promotion to the higher grade for the detailed reasons set out in its order. Shri M. Sreerangaiah, learned counsel for the applicants, really asks us to re-examine that order as if we are a court of appeal and come to a different conclusion, which is impermissible in a review. In this view, the review application No. 104/87 is liable to be rejected.

6. When once we hold that R.A. No. 104/87 is liable to be rejected, the other two R.A. Nos. 107 and 108 of 1987 are also liable to be rejected.

7. In the light of the above discussion, we hold that all these review applications are

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
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Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 31/8/87

REVIEW APPLICATION NOS 104, 107 & 108 /87()
IN APPLICATION NOS. 657, 1671 & 1670/86(F)

W.P. NO _____

Applicant
Divisional Railway Manager
South Central Railway, Hubli
& 3 Ors

V/s Shri B.V. Venkoba Rao & 2 Ors

To

1. The Divisional Railway Manager
South Central Railway
Hubli
Dharwad District

2. The General Manager
South Central Railway
Rail Nilayam
Secunderabad (A.P.)

3. The Chairman
Railway Board
Rail Bhavan
New Delhi - 110 001

4. The Secretary
Ministry of Railways
Rail Bhavan
New Delhi - 110 001

5. Shri M. Sreerangaiah
Railway Advocate
3, S.F. Buildings, 10th Cross
Cubbonpet Main Road
Bangalore - 560 002

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~XXXXX~~
~~INTERIM ORDER~~ passed by this Tribunal in the above said Review
application on 21-8-87.

Encl : as above

B.V. Venkoba Rao
Deputy Registrar
SECTION OFFICER
(JUDICIAL)

*copy received
M. Sreerangaiah
Adv
31.8.87*

RECEIVED - 31/8/87
Diary No. 1075/87
Date: 2/9/87

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

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Hon'ble Shri P. Srinivasan Member (A)

R.A. Nos. 104, 107 and 108 of 1987

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South Central Railway,
Hubli.
2. The General Manager,
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liable to be rejected. We, therefore, reject these
R.As at the admission stage without notices to
respondents.

Sd/-

(K.S. PUTTASWAMY)
VICE-CHAIRMAN

Sd/-

(P. SRINIVASAN)
MEMBER (A)

sb.

True Copy

B.V. Venkatesh Reddy
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL 31/8
ADDITIONAL BENCH
BANGALORE



GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF TRANSPORT (PARIVAHAN MANTRALAYA)
DEPARTMENT OF RAILWAYS (RAIL VIBHAG)
(RAILWAY BOARD)

No.E(G) 8 7-LL3- >

New Delhi, dated 10-9-1987

To,

The Registrar, Central Administrative Tribunal,

Commercial Complex (BDA)

Indira Nagar,

Bangalore - 560035

Sub: Review App. No. 104, (C) 4/108

DRM, Sd/-

Sir,

I am directed to refer to your summons/orders dated 21-8-87 on the subject mentioned above and to state that the General Manager Railway is the competent authority to deal with this matter. The summons/orders in question have, therefore, been sent to that authority for further necessary action.

Yours faithfully,

DA: Nil.

for Secretary, Railway Board.

No. E(G) 8 7-LL3- >

New Delhi, dated 10-9-1987

Copy together with the summons/orders received from the Tribunal/Court are forwarded in original to the General Manager South

Central

Railway for further necessary action.

The next date of hearing is

DA/As above.

Desk Officer, Establishment
Railway Board