

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 8TH DAY OF JULY, 1987

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
Hon'ble Shri L.H.A. Rego, Member(A)

REVIEW APPLICATION NO. 24/1987

Shri Y. Yelakkaiah,
No.1650, 8th Cross,
Ashokpuram,
Mysore.

.... Applicant

(Shri M. Narayanaswamy, Advocate)

v.

1. The Divisional Personnel Officer,
Southern Railway, Mysore Division,
Mysore.
2. The Works Manager, Southern-
Railway, Mysore South,
Mysore-8.
3. Sri M. Abdul Basith,
Assistant Personnel Officer,
Southern Railway,
Mysore.
4. The Deputy Chief Personnel
Officer (M&S) Southern Railway,
Personnel Branch,
Madras-3.

.... Respondents.

(Shri Srirangaiah, Advocate)

This application having come up for hearing to-day,
Vice-Chairman made the following:

O R D E R

In this application made under Section 22(3)(f) of
the Administrative Tribunals Act, 1935, the applicant has
sought for a review of an order made by a Division Bench
of this Tribunal consisting of one of us (Shri L.H.A. Rego)
and Hon'ble Shri Ramakrishna Rao, Member (J) in A.No.820/86.

2. In A.No.820/86 which was a transferred application, this Tribunal had upheld the punishment of removal imposed against the applicant in a disciplinary proceeding.

3. Shri M. Narayanaswamy, learned counsel for the applicant contends that even if the finding of guilt against his client was upheld, then also, it was a fit case in which the punishment of removal should have been modified to a minor penalty.

4. In the course of the order the Tribunal had specifically adverted to the gravity of the charges and the punishment imposed and has found that the punishment of removal was justified. We cannot examine the order made by this Tribunal as if we are a court of appeal and come to a different conclusion on any of the question much less on the quantum of punishment imposed by the authority and upheld by this Tribunal. We see no patent error in the order made by this Tribunal to justify a review.

5. In the light of the above discussion we hold that this application is liable to be dismissed. We, therefore, dismiss this application. But in the circumstances of the case, we direct the parties to bear their own costs.

Dr. Prakash
Vice-Chairman 8/9/87

[Signature]
Member (A) 8-7-87.

bsv/Mrv.

REGISTERED

Bangalore - 560 038

Dated : 9-3-1-8 /

Review Application No. 24 / 86 ()

in Application No. 820/86(T)

W.P. No

- Applicant

Shri Y. Yalakkaiah

To

V/s The Divisional Personnel Officer
Southern Railway, Mysore & 3 Ore

1. Shri Y. Yalakkaiah
No. 1650, 8th Cross
Ashokpuram
Mysore

2. Shri M. Narayanaswamy
Advocate
844 (Upstairs)
Vth Block
Rajajinagar
Bangalore - 560 010

3. The Divisional Personnel Officer
Southern Railway
Mysore Division
Mysore

4. The Works Manager
Southern Railway
Mysore South, Mysore - 8

5. Shri M. Abdul Basith
Assistant Personnel Officer
Southern Railway
Mysore

6. The Deputy Chief Personnel Officer (M&S)
Southern Railway
Personnel Branch
Madras - 3

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

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH IN REVIEW

APPLICATION NO. 24/87

Please find enclosed herewith the copy of the Order/~~Interim Order~~
passed by this Tribunal in the above said Application on 8-7-87

Encl : as above.

SECTION OFFICER
(JUDICIAL)

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.... Respondents.

(Shri Srirangaiah, Advocate)

This application having come up for hearing to-day,
Vice-Chairman made the following:

ORDER

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the Administrative Tribunals Act, 1985, the applicant has
sought for a review of an order made by a Division Bench
of this Tribunal consisting of one of us (Shri L.H.A. Rego)
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[Signature]
Vice-Chairman

[Signature]
Member (A)

[Signature]
SECTION OFFICER

CENTRAL ADMINISTRATIVE TRIBUNAL

ADDITIONAL BENCH

BANGALORE

bsv/Mrv.

8/9/81
"True copy"