

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 17 JAN 1989

APPLICATION NO. 1964 / 88(F)

W.P. NO. \_\_\_\_\_

Applicant(s)

Shri Joseph Abraham  
To

Respondent(s)

V/s The Divisional Railway Manager, South Central Rly  
Hubli & 2 Ors

1. Shri Joseph Abraham  
Quarter No. 958/B, Gadag Road  
Vidyeranyanagar  
Hubli - 580 020
2. Shri G.A. Nadgir  
Advocate  
No. 1 (2), 12th Cross  
Swimming Pool Extension  
Malleswaram  
Bangalore - 560 003

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY/INTERIM ORDER~~  
passed by this Tribunal in the above said application (R) on 13-1-89.

Encl : As above

*RA. Sankar*  
DEPUTY REGISTRAR  
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 13TH DAY OF JANUARY, 1989

Present | Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman  
and  
| Hon'ble Shri P. Srinivasan, Member (A)

APPLICATION NO. 1964/1988

Shri Joseph Abraham,  
Signal Inspector Gr.II(Retd)  
South Central Railway,  
Hubli.  
r/o Qrs.958/B, Gadag Road,  
Vidyaranyanagar, Hubli.

.... Applicant.

(Shri G.A. Nadgir, Advocate)

v.

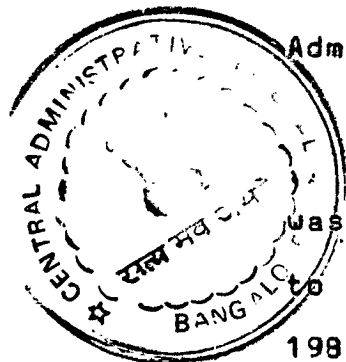
1. The Divl. Railway Manager,  
Divl.Office, South Central  
Railway, Hubli.
  2. The Chief Signal & Tele-  
communication Engineer,  
South Central Railway,  
Secunderabad.
  3. The General Manager,  
South Central Railway,  
Head Quarters, Rail Nilayam,  
Secunderabad.
- .... Respondents.

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

ORDER

This is an application made under Section 19 of the  
Administrative Tribunals Act, 1985 ('the Act').

2. Shri Joseph Abraham, applicant before us, who  
was working as Signal Inspector Grade-II was not promoted  
to the next higher post of Signal Inspector Grade-I in  
1983. On attaining superannuation, the applicant retired  
from service on 30.9.1984. But notwithstanding this,  
the applicant pleads that he was wrongly superseded



in 1983. In making this application there is a delay of 2 years 6 months and 12 days. In I.A. No.I, the applicant has sought for condoning the said delay.

3. Shri G.A. Nadgir, learned counsel for the applicant passionately pleads that this is a fit case in which we should condone the delay which had occurred for reasons beyond the control of the applicant, then decide the case on merits and grant him all the reliefs sought in application.

4. We have perused the affidavit accompanying the I.A. Everyone of the reasons stated in the I.A. are as vague and <sup>to</sup> as general as they could be and they do not constitute a sufficient ground for condoning the inordinate delay of 2 years 6 months and 12 days. We see no justification even to notify the respondents on I.A. No.I. Hence I.A. No.I is liable to be rejected without issuing notices which necessarily results in rejecting the main application.

5. In the light of our above discussions, we reject the I.A. No.I and the main application at the admission stage without notices to the respondents.

Sd/-

VICE-CHAIRMAN

Sd/-

MEMBER (A)

TRUE COPY

mr/mrv.

12/04/89  
(12-1-1989)

DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
\*\*\*\*\*

Commercial Complex(BDA)  
Indiranagar  
Bangalore - 560 038

Dated :

16 JUN 1989

REVIEW APPLICATION NO (S) 19 /89  
IN APPLICATION NO. 1964/88(F)  
U.P. NO (S)

Applicant (s)

Respondent (s)

Shri Joseph Abraham

V/s

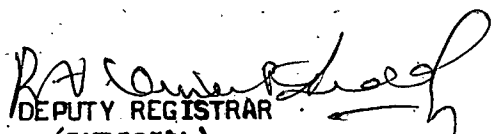
The Divisional Railway Manager, South Central Rly,  
Hubli & 2 Ore

To:

1. Shri Joseph Abraham  
Quarter No. 958/8, Gadag Road  
Vidyeranyanagar  
Hubli - 580 020
2. Shri G.A. Nadgir  
Advocate  
No. 1 (2), 12th Cross  
Swimming Pool Extension  
Malleswaram  
Bangalore - 560 003

/ Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/~~STAY~~/~~INTERIM ORDER~~  
passed by this Tribunal in the above said application(s) on 14-6-89.

  
DEPUTY REGISTRAR  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS THE FOURTEENTH DAY OF JUNE 1989.

Present: Hon'ble Shri Justice K.S.Puttaswamy .. VICE CHAIRMAN

Hon'ble Shri P.Srinivasan .. MEMBER(A)

REVIEW APPLICATION NO. 19/89

(O.A.No.1964/88(F))

Joseph Abraham,  
Signal Inspector Gr.II(Retd)  
South Central Railway,  
Hubli.  
Qrs No.958/B Gadag Road,  
Vidyaranyanagar,  
Hubli 20.

.. Applicant

(Shri G.A.Nadgir .. Advocate)

vs.

1.The Divisional Railway Manager,  
Divisional Offices, South Central  
Railway, Hubli.

2. The Chief Signal & Telecommunication  
Engineer, South Central Railway,  
Secunderabad.

3. The General Manager,  
South Central Railway,  
Head Quarters, Rail Nilayam,  
Secunderabad.

.. Respondents.

This application has come up today before this  
Tribunal for orders. Hon'ble Vice Chairman made the following:

O R D E R

In this application made under Section 22(3)(f)  
of the Administrative Tribunals Act, 1985 the applicant has  
sought for a review of our order made on 13.1.1989 dismissing  
his Application No.1964/1988.

2. In application No.1964/1988, the applicant had  
challenged his supersession. In making that application there  
was a delay of 2 years 6 months and 12 days. In I.A.No.I filed  
under Section 21(3) of the Act, the applicant had sought for  
condoning the said delay, which we rejected holding that he



had not shown sufficient cause for condoning the said delay.

3. Shri GA Nadgir, learned counsel for the applicant contends that the view expressed by us on I.A.No.1 were vague and general are not factually correct and there was every justification to condone the delay and hearing the application on merits.

4. On an examination of the application made by the applicant, we have expressed a particular view. We will even assume that our view is not sound or correct. But they also the same will not constitute a patent error to justify a review under Section 22(3)(f) of the Act read with order 47 of Rule 1 of CPC. We see no merit in this application. We, therefore, reject this application at the admission stage without notices to the respondents.



Sd/-  
VICE CHAIRMAN

Sd/-  
MEMBER(A)

bk.

16/6/89  
TRUE COPY

R. V. Venkatesh  
DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE