

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
Vidyanagar
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(s) on 13-1-89.

g/sd
K M Gan
18-1-89
Encl : As above

qc

RAJ
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.

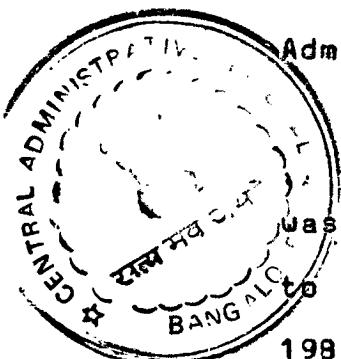
.... Respondents.

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

O R D E R

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the applicant pleads that he was wrongly superseded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 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

TRUE COPY

Mr/Mrs.

Sd/-

MEMBER (A)

(13/04/1989)
(18-1-1989)

RA Venkatesh
DEPUTY REGISTRAR (JDL) TAT
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)
W.P. NO. (S) /

Applicant (s)

Shri Joseph Abraham
To:

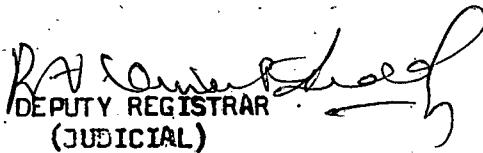
1. Shri Joseph Abraham
Quarter No. 958/8, Gadag Road
Vidyanayagar
Hubli - 580 020
2. Shri G.A. Nadgir
Advocate
No. 1 (2), 12th Cross
Swimming Pool Extension
Mallikarjunnagar
Bangalore - 560 003

Respondent (s)

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

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/STANAK/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.
Grs 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.1 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

bk.

Sd/-

MEMBER(A)

16/6/89
TRUE COPY

R. Venkatesh
DEPUTY REGISTRAR (JULY 16/6/89)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE