

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 13TH DAY OF JULY, 1988.

PRESENT:

Hon'ble Mr. Justice K.S.Puttaswamy,

.. Vice-Chairman.

And

Hon'ble Mr. L.H.A.Rego,

.. Member(A).

REVIEW APPLICATION NUMBER 55 OF 1988

C.Narasimhaiah,
S/o late Sri chowdaiah,
aged about 61 years,
Divisional Loco Inspector,
Southern Railways,
Arsikere, Mysore Division,
(now retired) and residing at
No.104, Kassim Sait Lane,
Goodshed Road, Arsikere,
Hassan District.

.. Applicant.

(By Sri M.S.Ananda Ramu, Advocate)

v.

1. The Union of India,
represented by the Secretary
to Government, Ministry of
Railways, 'Rail Bhavan',
New Delhi.
2. The General Manager,
Southern Railways,
Park Town, Madras.
3. The Divisional Railway Manager,
Southern Railways,
Mysore Division, Mysore.

.. Respondents.

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,1985 ('the Act') the applicant has sought for a review of an order made by a Division Bench of this Tribunal dismissing his Application No.179 of 1988 made under Section 19 of the Act.

2. In A.No.179 of 1988, the applicant had claimed diverse

reliefs. On an examination of them, the Bench had rejected the application on merits.

3. We have heard Sri M.S.Anandaraju, learned counsel for the applicant.

4. In making this application, there is a delay of 42 days. In I.A.No.I, the applicant had sought for condoning this delay on the ground of illness. But, in proof of the same, the applicant has not produced any evidence. In the absence of proof on the same, we cannot accept the vague plea of the applicant and hold that he had made out a sufficient cause for condoning the delay. But, notwithstanding this, we propose to examine the merits also.

5. We have ^{perused} the order in Application No.179 of 1988. We are of the view that the order dismissing the application, does not disclose any patent error to justify a review under Section 22(3)(f) of the Act, read with Order 47 Rule of the Code of Civil Procedure. On this view also, this application is liable to be rejected.

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

Ms. Ramaiah
VICE-CHAIRMAN. 13/7/88.

Ch. A.
MEMBER(A)
13/7/88

dms/np-