

Annexure R2

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560 038.

Dated: 14 JUL 1993

APPLICATION NO(s). 100 / 192

Applicant(s)

1. Shivappa.

Respondent(s)

1. EOT

1. Shivappa, Gangamath, Hotgi - Junction.
2. General Manager, South Central Railway, Secunderabad (AP).
3. The Divisional Railway Manager, South Central Railways, Hubli, Dist Dharwad.
4. The Senior Divisional Accounts Officer, South Central Railway, Hubli, Dist Dharwad.
5. Sri. F. V. Patil, Advocate, 555, 33 Cross 3rd Block, Radhakrishnan, B'lore-10.
6. Sri. A. N. Venkappal, Advocate, R.V. Road, opp. B'lore Hospital, B'lore.

SUBJECT:- Forwarding of copies of the Order passed by the Central Administrative Tribunal, Bangalore Bench Bangalore.

Please find enclosed herewith a copy of the ORDER/STAY/INTERIM ORDER passed by this Tribunal in the above said application(s) on 30.6.93

M. J. S. 14/7/93  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

- 6 -

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

DATED THIS THE THIRTIETH DAY OF JUNE, 1993

Present: Hon'ble Shri Justice P.K. Shyamsunder, Vice Chairman  
Hon'ble Shri V. Ramakrishnan, Member(A)

APPLICATION NO.100/1992

Shri Shivappa  
S/o. Irappa Ligade  
Gangmate  
Hotgi Junction.

... Applicant

( Shri F.V. Patil, Advocate)

Vs.

1. Union of India  
represented by  
General Manager  
South Central Railway  
'Rail Nilayam'  
Secunderabad (A.P.

2. The Divisional Railway Manager  
South Central Railway  
Hubli, Dist. Dharwad.

3. The Senior Divisional Accounts  
Officer, South Central Railway  
Hubli. Dist. Dharwad.

... Respondents

(Shri A.N. Venugopal, Advocate)

This application having come up for  
hearing before the Tribunal today, Hon'ble Shri V. Ramakrishnan,  
Member(A), made the following:

O R D E R

The applicant's prayer is that the action  
of the Railways in determining his date of birth as 1.7.1920  
and accordingly to superannuate him with effect from  
30.6.1978 was illegal and was without jurisdiction and that  
the date of birth should be modified as 7.12.1924 and the  
~~date of birth should be modified as 7.12.1924 and the date~~



of superannuation accordingly postponed. He had also sought consequential reliefs like, 'leave encashment and so on.

2. After listening to the submissions it seems that no material has been brought out which could justify the request for changing the date of birth. We are informed that the applicant continued in service for the period from 1.7.1978 to 31.12.1982 on erroneous consideration. This period was treated as re-employment and the same will be governed by the rules and regulations applicable to the re-employed pensioners and this period cannot count for the purpose of pensionary benefits. Accordingly, we see no merit in this application and the application is dismissed.

Sd-  
(V. RAMAKRISHNAN)  
MEMBER (A)

Sd-  
(P.K. SHYAMSUNDER)  
VICE CHAIRMAN



TRUE COPY

14/7/93  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

Second Floor,  
Commercial Complex,  
Indiranagar,  
Bangalore-560038.

Review Application No.51/1993 in

Dated: **8 OCT 1993**

APPLICATION NO(S) 100 of 1992.

APPLICANTS: Shivappa

vs.

RESPONDENTS: General Manager,  
South Central Railway, Secunderabad  
and Others.

TO.

1. Sri.F.V.Patil,  
Advocate, No.555,  
53rd Cross, Third Block,  
Rajajinagar, Near Rama Mandir,  
Bangalore-10.
2. Sri.A.N.Venugopala Gowda,  
Advocate, No.8/2-Upstairs,  
R.V.Road, Opp; Bangalore Hospital,  
Bangalore-4.

Subject:- Forwarding of copies of the Order passed by  
the Central Administrative Tribunal, Bangalore.

Please find enclosed herewith a copy of the  
ORDER/STAY/INTERIM ORDER, passed by this Tribunal in the  
above said application(s) on Fourth October, 1993.

*[Signature]*  
DEPUTY REGISTRAR  
JUDICIAL BRANCHES.

gm\*

*Issued*  
*[Signature]*

4. RA 51/93

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Date

Office Notes

Orders of Tribunal

PKS (VC)/VR (MA)

4.10.93

This is not a fit case for reviewing the order passed by us on 13.6.93. If the applicant is aggrieved, he should prefer an appeal to the Supreme Court. R.A. is disposed off accordingly.

Sch

Sch  
VC

M(A)



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*[Signature]*

SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

8/10/93