

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

- 5 -

Annexure R 2

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

Dated: 14 JUL 1993

APPLICATION NO(s). 100 192

Applicant(s)

Shivappa.

Respondent(s)

LOT

1. Shivappa, Gangamatti, Hotgi -
Junnar
2. Ministry of India, by its General
Manager, South Central Railway
Rail Workshop, Secunderabad (AP)
3. The Directorial Railway Manager,
South Central Railway, Hubli,
Dist Dharmavaram
4. The Senior Dimensional Accounts
Officer, South Central Railway,
Hubli, Dist Dharmavaram
5. Sri. T. V. Patil, Advocate, 555, 53 Cross
3rd Block, Radhanagar, B'lone-10
6. Sri. A. N. Venkatesh, Advocate, R. V.
Road, opp. B'lone Hospital, B'lone

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. Ousey S
4/17/93
for DEPUTY REGISTRAR
JUDICIAL BRANCHES.

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



SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

Mr. [Signature] 14/7/93

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,
Kajajinagar, 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.

M. Patel S
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

gm*

Issued - Oc

for

on

8/10/93

4. RA 51/93

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.

Sd/-

Sd/-

M(A)

VC



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R. Devaraj

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

87/10/83