

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH.

Review Petition No. 59 of 1993

In O.A.No. 546/93/5404

H.R.Gaikwad .... Applicant.

v/s.

Union of India & others

Review Petition under section 22(3)

(f) of Administrative Tribunal Act

1995

1. The applicant state's that his application was finally dismissed by the Hon'ble Tribunal on 30th June, 1993. Here to Annex & marked exhibit 'A' is the copy of the Judgement 30th June, 1993.

2. Applicant state's that he received the copy of the Judgement through his counsel on 12th July, 1993 & the Review Petition is filed today. The applicant state's that the Review Petition is with in the limitation prescribed in Rule 17(1) of the CAT (Procedure) Rule, 1987.

3. The applicant state's that he is in a possession of two documents which will



certainly change the Judgement of these Hon'ble Tribunal dated 12th July, 1993.

a) The applicant has personally met the "time keeper" Shri. Vinayak Gopal Kadam who has admitted that the representation made for the change of date of birth made by the applicant was received by him on 16th March, 1971 & he sent the above representation for the further action. He said, "time keeper", also admitted that the applicant representation 31/12/73 was also received by him & he sent the said representation for further competent authority & that he admits the signature on the bottom of the representation is his signature. The applicant state's that he is ready to give evidence in this Hon'ble Tribunal if this Hon'ble Tribunal deems & fit and proper in the instant case.

Here to annex & marked annexure 'A<sub>2</sub>' is the solemn affidavit of Shri. Vinayak Gopal Kadam dated 17/7/93.

b) The applicant states that the Divisional Railway Manager (W) vide his certificate No. BB/W/1800/WS/92 dated 21st July, 1993 has stated that Shri. Vinayak Gopal Kadam the than time keeper was

Annex. A-2

.. 3 ..

working in his I.O.W., Byculla Office from September, 1970 to April, 1984 . Therefore, the affidavit given by the said Shri.

Vinayak Gopal Kadam supporting the case of the applicant will change the Judgement in the instant case. Here to annexe & marked annexure "R<sub>2</sub>" is the copy of the said certificate of 19th July, 1993.

Annexure A-3

c) The applicant states that the police verification dated 6/1/1962 in terms mentions the date of birth of applicant as 1/6/1938 & the said record is available with the respondent in the Service Record (SR) of the applicant.

4. The applicant states he is an Scheduled Caste person & also economically poor person & he has three children in the School/College's & therefore financially it is not possible for him to approach Hon'ble Supreme Court. In the light of the annexure of the Review Petition this Hon'ble Tribunal be pleased to exercise its review jurisdiction in the interest of justice.

a) The petitioner, therefore, prays

.. 4 ..

that this Hon'ble Tribunal be pleased to review its Judgement dated 31st June, 1993 & the matter be heard afresh.

b) Cost of the review petition.

c) Any other & further relief.

In the facts & circumstances of the present case.

Bombay.

Date : 4-8-93.

*HR Gaikwad*

(Applicant)

VERIFICATION

I Shri. H.R.Gaikwad, residing at Block No. A110/220, Kurla Camp, Ulhasnagar No. 4, Dist. Thane. , do hereby state on solemn affirmation that whatever is stated in Review Petition is true to my personnal knowledge & I have suppressed nothing.

Bombay.

Date : 4-8-93.

*HR Gaikwad*

(Applicant)