IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR.

R.A. No. : 06/1999
in
O.A. No. : 173/1999

Date of Order : 16.7.99

1. Union of India through the General Manager, Western Railway, Churchgate, Mumbai.

2. Senior Dy. General Manager and Chief Vigilance Officer, Western Railway, Churchgate, Mumbai.

3. Divisional Railway Manager, Western Railway, Jaipur Division, Jaipur.

..Applicants.

Versus

Praveen Chaturvedi son of Shri D.N. Chaturvedi, aged about 41 years, resident of 291/1, Ganpati Nagar, Jaipur.

..Respondent.

PER HON'BLE MR. GOPAL SINGH :

This Review Application has been filed under section 22(f) of the Administrative Tribunals Act, 1985, seeking modification of the Tribunal's order dated 22.4.1999. In O.A. No. 173/99, the applicant had mainly prayed for a direction to the respondents to revoke the suspension order dated 11.12.1998 by which he was placed under suspension. While disposing of the O.A. vide its order dated 22.4.99, the Tribunal had observed as under :-

> "3. The applicant while working as Head Travelling Ticket Examiner was suspended vide an order dated 11.12.1998 on the basis of a preliminary inquiry in regard to an incident of 8.12.1998. The applicant apprehends that his headquarter may be changed or he may be transferred to some other place. Rule 18 of the Railway Servants (Discipline and Appeal) Rules, 1968 (for short, the rules) provides for appeal against an order of suspension. Section 20 of the Act provides that the Tribunal shall not ordinarily admit an application unless it is satisfied that the applicant has availed of all the remedies available to him under the Rules as to redressal of his grievances. The applicant has already served a notice for demand of justice on the General Manager, Western Railway, Churchgate, Mumbai vide Ann.A3 dated 16.3.1999. The applicant is present in person and states that he has

Cancelled

..2.

already preferred an appeal to the appellate authority in accordance with Rule 18 of the Rules referred to above.

4. In the circumstances, we direct respondent No. 2 to dispose of the applicant's appeal through a detailed speaking order on merits within a period of 3 months from the date of receipt of a copy of this order. The applicant shall be free to file a fresh OA, if so advised, after a decision is taken on his appeal."

2. It has now been submitted by the petitioners that on receipt of the orders of the Tribunal, suspension orders were revoked. The petitioners have, therefore, sought clarification as to whether in view of the changed circumstances, they are still required to pass a speaking order on the appeal filed by the respondent (applicant in the OA) and in case the appeal is required to be disposed of by a speaking order then the Tribunal's order dated 22.4.1999 be modified to the extent that respondent No. 1 be substituted in place of respondent No. 2 in para 4 of the said order.

3. Now that the suspension order has since been revoked, the question of appeal against the suspension order and consideration and disposal of the same by a speaking order does not arise.

4. In the light of above discussion, we do not find any error apparent on the face of records. The Review Application is, therefore, dismissed. By circulation.

Gopal Singh

(GOPAL SINGH)
MEMBER (A)

(GOPAL KRISHNA)
VICE CHAIRMAN

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

JAIPUR BENCH, JAIPUR.

M.A. No. : 184/1999
in
R.A. No. : 06/1999
in
O.A. No. : 173/1999

Date of Order : 16-7-99

1. Union of India through the General Manager, Western Railway Churchgate, Mumbai.

2. Senior Dy. General Manager and Chief Vigilance Officer, Western Railway, Churchgate, Mumbai.

3. Divisional Railway Manager, Western Railway, Jaipur Division, Jaipur.

..Applicants.

Versus

Praveen Chaturvedi son of Shri D.N. Chaturvedi, aged about 41 years, resident of 219/1,Ganapati Nagar, Jaipur.

..Respondent.

PER HON'BLE MR. GOPAL SINGH :

This Miscellaneous Application is for condoning the delay in filing the Review Application. The order which is sought to be reviewed was passed by the Tribunal on 22.4.1999 and the Review Application has been filed on 23.6.1999. There has been a delay of about one month in filing the Review Application. Seeing to the explaination given by the applicants for delay in filing the Review Application, the delay in filing the Review Application is condoned.

2. The M.A. stands disposed of, accordingly.

(GOPAL SINGH)
MEMBER (A)

(GOPAL KRISHNA)
VICE CHAIRMAN.