

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Original Application No. 257 of 2003

Jabalpur, this the 31st day of March, 2004

Hon'ble Mr. Madan Mohan, Judicial Member

N.K. Tamrakar S/o Shri B.M. Tamrakar
Retd. Senior Commercial Inspector,
Central Railway, Jabalpur R/o
House no.81, Sathiyan Khan, Hanumantal,
Jabalpur.

APPLICANT

(By Advocate - Shri A.K. Tiwari on behalf of Shri Sanjay Yadav

VERSUS

1. Union of India, through its General, Manager, Central Railway, CST, Mumbai.
2. Divisional Railway Manager, Central Railway, Jabalpur.
3. Senior Divisional Commercial Manager, Central Railway, Jabalpur

RESPONDENTS

(By Advocate - Shri M.N. Banerjee)

ORDER (ORAL)

By Madan Mohan, Judicial Member -

By filing this OA, the applicant has sought the following main reliefs :-

"

- (ii) Set aside the order dated 22.2.02 and punishment order dated 30.4.02(Annexure-A-7).
- (iii) Consequent upon quashing of aforesaid orders the respondents be directed to give the money to applicant with interest recovered from applicants gratuity."

2. Heard the learned counsel for the applicant and respondents.

3. The learned counsel for the respondents has submitted that the applicant could have filed revision/review petition to the concerned authorities against the order of appellate authority which he does not seem to have done. In the process, he has not exhausted the departmental remedies available to him.

4. That being the case, it is quite logical that the applicant should have done the same, before he approached this Tribunal through this OA.



5. I have considered this aspect of the matter and I am of the considered opinion that the appropriate course at this stage would be to dispose of this OA with directions that the applicant may exhaust the remedy available to him by filing review petition to the concerned authority in the respondents' organisation seeking the relief which he has sought in this OA. After he has done the same, the respondents' authority shall ensure that the same is given due consideration with reference to the relevant rules and instructions on the subject. It is directed that the applicant may file a review application/revision petition before the concerned respondent within a period of two weeks from the date of receipt of a copy of this order. As this review petition would have been submitted by the applicant with considerable lapse of time, keeping in view the special circumstances as submitted in this case, I am inclined to direct the respondents that the limitation, if applicable in this case, may be ignored and the review application be given proper consideration as directed above within a reasonable period. The above view is supported by the decision of this Tribunal in OA No.593/03 decided on 11.11.2003.

6. With the above direction the OA is disposed of.
No costs.


(Madan Mohan)
Judicial Member

SKM

पृष्ठांकन सं. ३०/८.....जवाहलपुर, दि.....
प्रदिव्यांशु विभाग, जवाहलपुर
(1) सतीत, विभागीय निवास, जवाहलपुर
(2) लालोदरा विभागीय निवास, जवाहलपुर
(3) जवाहलपुर विभागीय निवास, जवाहलपुर
(4) रामगढ़, विभागीय निवास, जवाहलपुर
सूचना एवं लालोदरा विभागीय निवास, जवाहलपुर
S. Yadav
M. N. Banerjee
B. J. M. D. A. S. B.
जवाहलपुर/४/०४


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