

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

R.A. No.145/2017 in
O.A. No.608/2016

New Delhi this the 10th day of July, 2017

HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. SHEKHAR AGARWAL, MEMBER (A)

Suresh Kumar Azad
Aged 63 years
S/o Sri Chatru Singh
(Ex Dy FA&CAO/C/JAT)
G.M. N. Rly Hd Qrs Office Baroda House
New Delhi.
Res:- B-605, Rail Vihar Alpha-1
Greater Noida (U.P.)

-Applicant

(Applicant present in person)

Versus

Union of India, through

1. General Manager
Hd. Qrs Office/N. Rly
Baroda House New Delhi
2. F.A.&CAO/N.Rly
Hd Qrs Office/N.Rly
Baroda House, New Delhi.
3. Secretary, Railway Board
Ministry of Railway
Rail Bhawan, New Delhi

-Respondents

O R D E R (Oral)

Hon'ble Mr. V. Ajay Kumar, Member (J):

Heard the review applicant, who is present in person.

2. MA No.2365/2017 filed for seeking condonation of delay in re-filing the RA is allowed.

3. The instant RA No.145/2017 is filed seeking to review the order dated 12.02.2016 in OA No.608/2016. The OA No.608/2016 filed by the applicant was disposed of by this Tribunal vide order dated 12.02.2016, and the operative portion of the same reads as under:-

“20. In view of the above discussion, it is held that the respondent SSB acted arbitrarily to the extent that it revised the petitioners' seniority so as to adversely affect them, vis-à-vis other direct recruits of the 1993 batch, in reflecting their positions in the impugned list of 25.11.2011. The SSB is therefore, directed to revise the said list and ensure that the pre-existing position (so far as the inter se seniority of the direct recruits of the same batch to which the petitioners belong) is maintained. At the same time, it is clarified that the court has not pronounced upon the inter se seniority of direct recruit Asst. Commandants of later batches. The SSB shall carry out the necessary corrections and issue the revised final 8 OA No.608/2016 seniority list, within eight weeks from today. The writ petition is allowed in the above terms, without order as to costs.”

3. In view of the aforesaid, the OA is dismissed in limine. No costs”.

4. The applicant earlier filed RA No.78/2016 seeking to review the order dated 12.02.2016 in OA No.608/2016 and the same was dismissed by this Tribunal vide order dated 25.04.2016.

5. It is the settled principle of law that no second review is maintainable against any order unless it is proved that the said

order was obtained either by playing fraud on the Court or by way of making misrepresentation.

6. The applicant without giving any valid reasons how can he maintain the second RA as his earlier RA No.78/2016 was already dismissed, filed the instant RA once again.

7. In the circumstances, the RA No.145/2017 deserves to be dismissed. Accordingly, the same is dismissed. No costs.

(Shekhar Agarwal)
Member (A)

(V. Ajay Kumar)
Member (J)

cc.

