

**Central Administrative Tribunal
Principal Bench, New Delhi**

RA No.146 of 2014
IN
OA No.409 of 2012

This the 16th day of September, 2015

**HON'BLE MR. G.GEORGE PARACKEN, MEMBER (J)
HON'BLE MR. SHEKHAR AGARWAL, MEMBER (A)**

Union of India : through

1. The General Manager,
Northern Railway,
HQRS Office, Allahabad.
2. The Divisional Railway Manager,
Agra Division, North Central Railway,
Agra Cantt.
3. The Divisional Personnal Officer
Agra Division, North Central Railway,
Agra Cantt.
4. The Divisional Railway Manager,
North Central Railway,
Jhansi Division, Jhansi.

...Review Applicants

(By Advocate: Shri V.S.R. Krishna)

Versus

Shri Vasudev,
S/o Shri Jhau Lal,
Assistant Station Master,
Chhatta Railway Station,
Mathura Delhi Section,
Agra Division, North Central Railway,
R/o Vill & P.O. RAL
District : Mathura

...Review Respondent

(By Advocate : Shri M.S. Saini)

ORDER (ORAL)

SHRI G.GEORGE PARACKEN, MEMBER (J) :

This Review Application has been filed by the review applicants (respondents in OA) seeking review of the Order of

this Tribunal dated 30.9.2013 in OA 409 of 2012. The operative portion of the said Order reads as under:-

“12. We, therefore, allow this OA and set aside the impugned order dated 10.08.2009 to the extent that the applicant has been promoted only on proforma basis from the date his juniors have been promoted and no arrears have been paid to him. Consequently, we direct the respondents to pay him the entire pay and allowances of the promotional post of ASM as arrears w.e.f. 15.07.2004 till the date he has been actually paid the salary allowances for the aforesaid post. The aforesaid directions shall be complied with within a period of two months from the date of receipt of a copy of this order.”

2. Shri V.S.R. Krishna, learned counsel for the review applicants (respondents in OA) has submitted that the aforesaid is wrong in the sense that as per Rule 228 of IREM, no arrears can be given to an employee to whom the promotion has been wrongly denied.

3. Shri M.S. Saini, learned counsel for the review respondent (applicant in OA) has filed reply to the Review Application wherein it has been stated that the Review Application itself is not maintainable as the aforesaid Order of this Tribunal is dated 30.9.2013 and the present RA was filed 28.7.2014 i.e. after about 10 months of the passing of the aforesaid Order. He has further submitted that in accordance with the provisions contained in Rule 17 of the CAT (Procedure) Rules, 1987, the review application is to be filed within 30 days and there is no provision for relaxation. He has also submitted that grounds taken by the review applicants in the Review Application are not good and

proper as there are no error apparent on the face of record in the aforesaid Order.

4. We have heard counsel for the parties. We agree with the submissions made by the learned counsel for the review respondent. We do not find any valid reason to review the aforesaid Order of this Tribunal. Moreover, the Review Application is time barred. Accordingly the same is dismissed. There shall be no order as to costs.

(SHEKHAR AGARWAL)
MEMBER (A)

(G.GEORGE PARACKEN)
MEMBER (J)

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