

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

R.A. No.297/2015 in O.A. No.3865/2012

Friday, this the 12<sup>th</sup> day of October 2018

**Hon'ble Mr. K.N. Shrivastava, Member (A)**

1. Union of India through  
The General Manager  
North Western Railway  
Jaipur
2. The Divl. Railway Manager  
North Western Railway  
Bikaner

..Review Applicants (original respondents)

(Ms. Ekta Rani, Advocate for Mr. Kripa Shanker Prasad, Advocate)

Versus

Sh. Suraj Bhan  
S/o Sh. Bhom Singh\  
Village & Post Jainabad Dahina  
Teh. & District Rewari  
Haryana – 123411

..Respondent (original applicant)

(Mr. Yogesh Sharma, Advocate)

**O R D E R (ORAL)**

Through the medium of this R.A., the applicants / original respondents have sought review of the order of the Tribunal dated 28.03.2014 in O.A. No.3865/2012. The main ground put-forth for seeking review is mentioned in paragraph 3 of the R.A., which is extracted below:-

“3. That at the time of hearing of the case on 28.3.2014, the counsel for the respondents submitted to this Hon'ble Tribunal that the applicant had worked as casual labour in different spells during the period 19.11.1968 to 14.11.1981 and it may not be possible at this distance date to work out the number of days applicant had worked as casual labour, as the life of the muster rolls from which number of days of actual working as casual labour can be worked out is only five years as per the extant instructions. A copy of the said instructions

circulated under P.S. No.1666 is filed and marked as Annexure RA-2. It is submitted that the said important matter of evidence could not be produced at the time of hearing of the case on 28.3.2014, despite exercise of due diligence.”

2. The Tribunal’s order is very specific directing that the period of service rendered by the original applicant in casual service from 19.11.1968 to 14.11.1981 is to be reckoned for determining his retiral benefits. I am informed that the applicant retired on 31.01.2009 and since then he has been craving for his retiral benefits. He has been regularized in service on 02.11.1998.

3. If the records for the period from 19.11.1968 to 14.11.1981, *qua* the applicant, are not available with the original respondents, as mentioned in this R.A., obviously, the applicant cannot be denied his legal right on this count. As a matter of fact, in all fairness, the original respondents should be gracious enough to accept the version of the original applicant and accordingly implement the Tribunal’s order.

4. I do not find any apparent error on the face of the record, which is *sine qua non* for seeking review of Tribunal’s order.

5. In view of the above, this R.A. is dismissed.

**( K.N. Shrivastava )**  
**Member (A)**

**October 12, 2018**  
/sunil/