



CENTRAL ADMINISTRATIVE TRIBUNAL
KOKATA BENCH, KOLKATA

RA/350/0015/2016
[O.A./350/00459/2016]

Orders Reserved on : 16th Nov., 2017
Date of orders : 26th Nov., 2017

CORAM

HON'BLE MRs. BIDISHA BANERJEE, MEMBER (J)
HON'BLE DR. NANDITA CHATTERJEE, MEMBER (A)

1. Union of India, service through the General Manager, Eastern Railway, Fairlie Place, 17, N.S. Road, Kolkata – 700001.
2. Chief Personnel Officer, Eastern Railway Fairlie Place, Kolkata -1.
3. Sr. Divisional Personnel Officer, Eastern Railway, Sealdah, Kolkata – 700014.
4. Sr. Divisional Commercial Manager, Eastern Railway, Sealdah, Kolkata -14.
5. Divisional Mechanical Engineer [D&P], Eastern Railway, Sealdah, Kolkata – 700014.

.....Petitioners/Respondents

By Advocate : Mr. S.K.Das.

Versus

Bibekanand Banerjee, son of Late K.L.Banerjee, residing at 44D, Baburam Ghosh Road, Tallygunge, Kokata – 700040.

..... Respondents.

By Advocates: Mr. C.Sinha

ORDER

Per Bidisha Banerjee, Member (J):- This Review Application has been filed against para 9 of the order dated 07.04.2016 passed in OA 350/00459/2016, wherein the following was recorded :-

"9. In as much as the Hon'ble Apex Court [supra] noted as such and decided the matter treating the applicant as a decategorized running staff adjusted against a post of "Crew Controller", his utilization against the post of a Commercial Clerk was highly illegal. Such a declaration while the applicant was not so posted, could not be countenanced. Similar recordings were noted in the orders passed by this Tribunal as well as Hon'ble High Court, suggestive of the fact that consistently false declarations were made on oath by the respondents before this Tribunal, before the Hon'ble High Court as also before the Hon'ble Apex Court, that the applicant was posted as a Crew Controller, which false declaration on oath were fit enough to invite action under Contempt of Courts Act and proceeding for

imprisonment."

The order was delivered on 07.04.2016, and the Review Application was preferred on 09.06.2016, i.e. beyond thirty days from the date of order. In terms of law laid down, the Review application preferred beyond thirty days from the date of order/date of communication of the order, is not maintainable.

2. Accordingly, the RA stands dismissed.

[Dr. Nandita Chatterjee]
Member (Admn.)
mps/-

[Bidisha Banerjee]
Member (Judicial)