



**CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH**

No. O.A. 350/01815/2015

Date of order : 15.2.2016

**Present : Hon'ble Justice Shri Vishnu Chandra Gupta, Judicial Member
Hon'ble Ms. Jaya Das Gupta, Administrative Member**

TAPAN BHANJA

VS.

UNION OF INDIA & ORS. (S.E. Railway)

For the Applicant : Mr. A. Chakraborty, Counsel

For the Respondents : Mr. A.K. Dutta, Counsel

ORDER (Oral)

Justice Shri Vishnu Chandra Gupta, Judicial Member:

Heard the Ld. Counsel for the petitioner and the Ld. Counsel appearing for the respondents.

2. A preliminary objection of maintainability has been raised in this matter that after departmental appeal remedy to file revision was available to the petitioner, which he has not availed by the applicant. He relied upon a judgment of this Tribunal passed in O.A. 625 of 2012 in Sk. Anwaruddin v. Union of India & ors. and Sudama Prasad Kori v. Union of India & ors. reported in 2010 (2) AISLJ 116 of Jabalpur Bench. As a plea of jurisdiction has been raised by the Ld. Counsel for the respondents, it would be necessary to dispose it of before proceeding further with the matter.

3. At this stage the Ld. Counsel for the petitioner fairly conceded that he may prefer the revision before the competent authority.

4. Hence, the petition is finally disposed of with liberty to the petitioner to file

revision before the revisional authority by moving an application for condonation of delay. He may take advantage of pendency of this litigation.

5. The O.A. is finally disposed of. There shall be no order as to costs.

(Jaya Das Gupta)
Administrative Member

(Vishnu Chandra Gupta)
Judicial Member

SP