

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

R.A.No.212/2002 in O.A.No.2334/2001

Monday, this the 12th day of May, 2003

Hon'ble Shri Govindan S. Tampi, Member (A)

Shri Sunder
s/o Shri Nashib Chand
r/o House No.D-30
New Hira Park, Dicchau Road, New Delhi

...Applicant

(By Advocate: Shri Yogesh Sharma)

Versus

Union of India through

1. The General Manager
Northern Railway, Baroda House,
New Delhi
2. The Divisional Railway Manager
Northern Rly..
Ferozpur Division,
Ferozpur (Punjab)

..Respondents

(By Advocates: Shri R.L.Dhawan & Shri R.K.Sarkar)

O R D E R (ORAL)

RA-212/2002 seeks to recall and review the order dated 14.5.2002 passed by me while allowing OA-2334/2001. Review applicants are the respondents in the OA.

2. I have considered the matter. OA-2334/2001, filed by Shri Sunder, was allowed by me on 14.5.2002 with the following directions:-

"7. In the result, the OA succeeds and is accordingly allowed. Respondents are directed to consider the appointment of the applicant as Sanitary Safaiwala from 98 relaxing the requirement of educational qualification, if the applicant is literate in Hindi or English, keeping in mind the nature of the job. This shall be done within two months from the date of receipt of a copy of this order. The applicant will, however, be entitled to wages as Safaiwala only from September, 2001 when he filed this OA. No costs."

h

(9)

16

3. Present RA is filed alleging presence of error on facts and law in that order. Among the pleas raised, it is also indicated that in the OA, the authorities, who are to implement the orders have not been impleaded, a rather specious plea to make at this belated time. The attempt in this RA is to re-argue the matter, which does not fall within the scope of review in terms of Section 22(3)(f) of Administrative Tribunals Act, 1985 read with Order 47 of Civil Procedure Code, and in terms of the decision of Hon'ble Supreme Court in Avtar Singh Sekhon Vs. Union of India and Ors. AIR 1980 SC 2041.

4. RA being devoid of any merit fails and is accordingly dismissed.

(Govindan S. Tampi)
Member (A)

/sunil/