

Central Administrative Tribunal
Principal Bench, New Delhi.

RA-174/96 in
OA-1315/96

New Delhi this the 4th day of October, 1996.

Hon'ble Sh. R.K. Ahooja, Member(A)

Ms. Sukanya Sengupta,
Deputy Director,
All India Radio,
R/o C-101, NTPC Township,
Sector-33, Noida.

Review Applicant

(Review Applicant in person)

versus

1. Union of India,
through Secretary,
Ministry of I & B.,
Shastri Bhavan,
New Delhi-1.
2. Sh. J.G. Gupta,
Chief Engr., O/O DG, AIR
Akashvani Bhavan,
New Delhi-1.
3. Sh. K.M. Paul,
Chief Engr. (R&D) AIR & DD
14-B I.P. Estate, Ring Road,
New Delhi-2.

Respondents

ORDER (BY CIRCULATION)

This review application has been filed in respect of order dt. 9.8.96 in OA-1315/96 whereby the application was dismissed. The O.A. had been filed impugning the order of transfer of the applicant from Delhi to Calcutta on the ground that it had been passed due to malafide on the part of respondent No.2.

2. In the review application, the applicant has mentioned that certain important aspects of the applicant's case have been over-looked while passing the order of dismissal. Thus, it is mentioned that the order treating the absence of the applicant as dies-non on 14.6.96 while the transfer order was passed on 17.06.96, the next working day which clearly shows the

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connection between the two orders was not taken into account. Similarly the fact that the applicant was sought to be relieved through a private courier at home which also shows malafide intentions was also overlooked. The applicant also submits that a wrong conclusion has been drawn that since her name figures in a list of 34 such officers similarly transferred, the applicant's prayer could not be said to be on account of malafide. It is also stated that Tribunal has not taken into consideration ~~of~~ various representations filed by the applicant.

3. I have carefully considered the above submissions but find no merit in the review application as the grounds stated by the review applicant are matter of appreciation and interpretation of the facts and circumstances attending the impugned transfer of the applicant. It may be possible to have a different interpretation but if the applicant is not satisfied with the interpretation given by the Tribunal, the remedy does not lie by way of a review application.

4. Since no error apparent on the face of record has been pointed out in the review application, I find no merit in the R.A., and the same is rejected.

R.K. Anubja
(R.K. Anubja)

Member(A) 4/10/86

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