

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

R.A. No. 151/98
M.A. No. 1531/98
and
M.A. No. 1532/98
O.A. No. 1606/97

Hon'ble Shri R.K. Ahooja, Member (A) (3)
New Delhi this the 11th Day of August 1998

1. Shri Raj Kumar
S/o Shri Gugan
2. Shri Parbhati Lal,
S/o Shri Gopi Ram
3. Shri Mange Ram,
Son of Shri Anwar
4. Shri Mahabir,
S/o Shri Bhanwar Lal
5. Shri Rajinder Singh.,
S/o Shri Mal Lal

All R/o Co Gaur Bhawan, Gali No. 10,
Sadh Nagar, New Delhi-110 0015.

Petitioners

(By Advocate: Shri Yogesh Sharma)

-Versus-

1. Union of India through
The General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divisional Railway Manager,
Northern Railway,
Bikaner Division,
Bikaner

Respondents

(By Advocate: Shri R.L. Dhawan)

ORDER (By Circulation)

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

The petitioners seek review of the order of this
Tribunal in O.A. No. 1606/97 dated 29.5.1998. The RA has
been filed on 29.7.1998 i.e., after the stipulated period of

30 days. The petitioner has filed MA No. 1531/98 for condonation of delay and MA No. 1532/98 for stay of the operation of the order sought to be relieved.

(A)

2. In so far as the delay is concerned the only explanation is that time was taken in processing the drafting and vetting of the review petition. This is really no explanation and the RA is liable to be dismissed on this ground alone.

3. On merit also, I find no basis whatsoever for proceeding further. The petitioner says that there is an 'Error of Law' as well as an 'Error on Question of Fact'. These are in respect of interpretation of Railways instructions regarding the right of casual labourers who have their names included in the live casual labour register and secondly the bar of limitation; as regards the first the petitioners submit that there is an error in that the applicants in the OA had not been disengaged on the discontinuation of work but had left on their own accord. All these issues have been discussed in the main order and the conclusions of the Tribunal have been recorded thereon. For a wrong interpretation of law or a wrong appreciation of facts, the remedy does not lie in seeking a review by producing the same arguments as were put forth in the original proceedings. A review is not an opportunity to go over the same ground and to seek a fresh conclusion. Recourse to review is only possible within the narrow compass of errors which are patent on the face of record and, which do not require detailed arguments to make their presence known. Since I find that the

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(5)

ground taken is nothing but a reproduction of the arguments advanced in the main OA, the object sought to be achieved is patently to reverse the conclusion of the Tribunal on merit.

RA is dismissed accordingly both for limitation and for lack of merit.

R. K. Ahuja
(R. K. Ahuja)
Member (A)

Mittal