

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

R.A. NO.134/99
IN
O.A. NO.2449/95

HON'BLE SHRI R.K. AHOOJA, MEMBER(A)
HON'BLE SHRI S.L. JAIN, MEMBER(J)

New Delhi, this the 12th day of July, 1999

(18)

R.C. Wadhwa
S/o Shri Bagwant Dutt
Chief Booking Clerk/Northern Railway
Booking Office, New Delhi
R/o WZ-6, Ram Garh Colony
Najafgarh Road, New Delhi

....Applicant

(By Advocate: Shri G.D. Bhandari)

Versus

Union of India through

1. The General Manager
Northern Railway HQ
Baroda House, New Delhi

2. Chief Commercial Manager(C)
Northern Railway HQ
Baroda House, New Delhi

3. Divisional Railway Manager
Northern Railay DRM's Office
State Entry Road, New Delhi

4. Chief Area Manager
Northern Railway
DRM's Office
State Entry Road, New Delhi

....Respondents

O R D E R (By Circulation)

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

The review petitioner states that there is an error apparent on the face of the record of fact as well as law in Tribunal's Order dated 29th April, 1999 in O.A. No.2449/95.

2. In the O.A. the applicant had challenged the order of penalty imposed on him while working as Chief Clerk at New Delhi Railway Station. It was concluded by the Tribunal in the impugned order that in so far as the disciplinary proceedings were concerned, there was no

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ground for interference. However, on the question of penalty the Tribunal concluded that the penalty imposed required modification.

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3. The petitioner has made extensive submissions and has once again gone over the whole ground to show that the conclusions reached by the ^{Tribunal} ~~applicant~~ in regard to the disciplinary proceedings were not correct.

4. A review cannot be made a vehicle for an appeal in disguise. The Supreme Court has held in Tungbhadra Industries Ltd. Vs. State of Andhra Pradesh, AIR 1964 SC 1372 that where without any elaborate argument one could point to the error and say here is a substantial point of law which stares one in the face, and there could reasonably be no two opinions entertained about it, a clear case of error apparent on the face of the record would be made out. Here, however, we have only a lengthy repetition of old arguments. This obviously cannot warrant a review since the implication is that the impugned order requires reconsideration on merit. Accordingly, finding no merit, the R.A. is summarily dismissed.

S.L. Jain
(S.L. Jain)
Member(J)

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

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