

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

R.A. NO.330/95 IN  
O.A. NO.859/95

16

HON. SH. A.V. HARIDASAN, VICE-CHAIRMAN 'J'

HON. SHRI R.K. AHOOJA, MEMBER 'A'

NEW DELHI, THIS 21ST DAY OF JANUARY 1997

SHRI VISHAL MANI  
S/o Shri Jogeshwar Prasad  
r/o E-51 J.J. Colony  
Inder Puri  
NEW DELHI-12

...APPLICANT

'By Advocate- Shri K.M. Vijayan'

VERSUS

1. Union of India, through  
General Manager  
Northern Railway  
Baroda House  
NEW DELHI.

2. Northern Railway  
D.R.M. Office  
IRC Building  
Chelmsford Road  
NEW DELHI-55

..RESPONDENTS

ORDER 'BY CIRCULATION'

This Review Application is directed against the finding of the Tribunal in OA No.859/95 vide order dated 16.10.1995 that the number of days of engagement of the applicant has to be accepted as 211 as claimed by the respondents. The petitioner claims that there is an error apparent on the face of record as his claim of having worked for 135 days

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as Bunglow Peon and for 340 days as Waterman was not specifically denied by the respondents when the legal notices were sent by him on 1.3.1994 and 3.4.1995 and further more because the allegations of number of days worked by the applicant, as stated in the OA, were also not met by a specific denial by the respondents.

2. We have carefully considered the ground adduced by the petitioner in this RA and find that it in no way constitutes a valid basis for a review of the decision of the Tribunal. Para 10 of the order states as follows:-

"There is a dispute regarding the number of days of service of the applicant. According to the applicant, he has rendered 340 days, but according to the list produced by the applicant itself, the respondents have taken his engagement only as for 211 days. If the applicant had a case that the number of days of service rendered by him as shown in the notice was correct, he should have challenged that at the appropriate time. Therefore, we are of the view that the number of days of the engagement has to be accepted as 211 as claimed by respondents.

3. It is clear from the above that after considering the rival contentions, the Tribunal came to the finding regarding the number <sup>of days</sup> worked by the applicant. The claim raised by the applicant regarding the number of days for which he was engaged was also taken due notice of. In view of this, it cannot be said that there has been an error apparent on

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the face of record. If the applicant/petitioner is not satisfied with the above mentioned finding, the remedy for him lies elsewhere and not by way of Review Application. We therefore dismiss this R.A.

  
R.K. Ahodja

R.K. AHODJA  
MEMBER (A)



A.V. HARIDASAN  
VICE-CHAIRMAN (J)

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