

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

RA-195/2000 in
OA-319/2000

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New Delhi this the 2nd day of August, 2000.

Hon'ble Dr. A. Vedavalli, Member(J)

Miss Tripti Gupta,
D/o Sh. V.K. Gupta,
R/o H.No. 13/72, Kalyanpuri,
Delhi-91. Review Applicant

(through Sh. T.D. Yadav, Advocate)

Versus

1. Union of India through
the Secretary,
Ministry of Human Resources &
Development,
New Delhi.
2. The Commissioner,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shahid Jeet Singh Marg,
New Delhi-16.
3. Dy. Commissioner(Admn.),
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shahid Jeet Singh Marg,
New Delhi-16.
4. Assistant Commissioner,
Regional Office,
92, Gandhi Nagar Marg,
Bajaj Nagar,
Jaipur-15. Respondents

Order(By Circulation)
Hon'ble Dr. A. Vedavalli, Member(J)

Perused the Review Application.

2. This Review Application has been filed by
the applicant for review of an order of this Tribunal
dated 16.05.2000 in OA-319/2000 (Annexure RA-I).

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3. According to the review applicant there is an error apparent on the face of the record as the case has been decided on the basis of transfer order dated 09.04.99 and not the impugned rejection order dated 01.09.99.

4. On a perusal of this Tribunal's order dated 16.05.2000 in the above O.A. it is crystal clear that the order which has been considered is the impugned rejection order dated 01.09.99 (Annexure A-2 to the OA) which was passed by the respondents in pursuance of this Tribunal's order dated 26.07.99 in an earlier O.A. No. 1656/99 filed by the present review applicant against her transfer order dated 09.04.99. The aforesaid contention of the review applicant is, therefore, without any basis and hence is not tenable.

5. Another error apparent on the face of the record according to the applicant is that her averment as to discrimination and mala fides as contained in the O.A. have not been considered by the Tribunal.

6. It is seen that, inter alia, the aforesaid averments have been dealt with in detail by the Tribunal in Para-5 of its order dated 16.05.2000. The said O.A. was disposed of with clear finding as under:-

" 6. In view of the foregoing discussion and on careful consideration of the matter, I find that the applicant has failed to establish any illegality, mala fide or any other valid and tenable grounds to warrant any interference of this Tribunal with the impugned order. The O.A. is, therefore, devoid of any merit. Accordingly, it is dismissed at the admission stage. No costs."

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7. In view of the above, the aforesaid contention of the review applicant is unsustainable as being devoid of any merit.

8. It is well settled that an order of this Tribunal can be reviewed only on limited grounds as provided under Section 22 (3)(f) of the Administrative Tribunals Act, 1985 read with Order 47 Rule 1 of the Code of Civil Procedure, 1908. While so, the review applicant has failed to establish any error of law apparent on the face of the record or any other ground as enumerated in the aforesaid provisions. In the guise of a R.A. she is only trying to reagitate the matter as if it is an appeal which is clearly impermissible under the law.

9. In view of the above discussion, the R.A. is dismissed.

A. Vedarathi

(Dr. A. Vedavalli)
Member(J)

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