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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

RA 326/93

Date of Decision: 17.11.93

CA-337/86

Shri P.K. Shukla

.....

Petitioner

Vs

Union of India

.....

Respondent

Coram:

Hon'ble Mr. J.P. Sharma, Member (J)

Hon'ble Mr. N.K. Verma, Member (A)

JUDGEMENT

(Delivered by Mr. J.P. Sharma, Member (J))

The Review Application filed in Original Application No. 337/86 which was disposed of by the Judgement dated 30.7.1993 dismissing the application as devoid of merits.

In the Original Application the applicant assailed the order of punishment dated 3.1.1986 and orders dated 21.2.1988 upholding the punishment order. The punishment was imposed upon the applicant after holding a disciplinary enquiry under Railway Servants Disciplinary Appeal Rules, 1968.


The ground taken by the applicant are that the Tribunal has not taken into consideration the fact that applicant was working under the Branch Incharge who was present at the spot and the Vigilance Inspectors have not taken him into confidence before the alleged inspection was done; that the Vigilance Inspectors found the applicant adamant to pursue his complaint against him; that that Tribunal in Para 6 of the Tribunal has observed that the charge is not entirely based on the same evidence which was in the criminal case of illegal gratification and thus the observation is against the material facts on record; that the Tribunal has also erred in not considering the fact that the chargesheet contained allegation that the applicant has accepted Rs. 14/- while the

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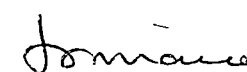
rejoinder shows that the applicant produced Rs. 50/- to the Vigilance Inspector and these two statements are entirely contradictory; and the Tribunal has also not gone into the material facts before deciding the case,

We have perused the record and the judgement and all these points have been covered and discussed in greater detail in the judgement. The applicant cannot reopen the whole case by reiterating the grounds for review. A review lies only when there was error apparent on the record or some essential relevant evidence has escaped the judgement or the aggrieved party wants to file some more evidence which was not in his knowledge when the arguments were finally heard in the case. That is not the case here.

Review Application therefore, is devoid of merit and is dismissed by circulation.

  
(N.K. Verma)

Member(A)

  
(J.P. Sharma)

Member(J)

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