

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A.No.152/95
M.A.No.1685/95 in
O.A.No.1992/90

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)
Hon'ble Shri B.K.Singh, Member(A)

New Delhi, this 07th day of December, 1995

Union of India & Others ... Applicants
(By Shri P.S.Mahendru, Advocate)
Versus
Shri Shiv Raj Singh & Others ... Respondents
(By Shri B.S.Mainee, Advocate)

O R D E R (Oral)

Hon'ble Shri A.V.Haridasan, Vice-Chairman(J)

The Review Application No.152/95 has been filed by the original respondents in the OA No.1992/90 for review of the Judgment dated 23.1.1995. As this RA has been filed after the expiry of the period prescribed in Rule-17 of the Administrative Tribunals Act, 1985, Miscellaneous Application No.1685/95 has been filed by the Union of India for having the delay condoned. The ground mentioned in the MA does not disclose any satisfactory ground for condoning the delay.

2. By this Review Application the respondents in the Original Application No.1992/90 seek a review of the order in the Original Application passed on 23.1.1995. In the Review Application, it has been averred that as the fact that restructuring of the cadre took place in the year 1993 and that most of the applicants have been promoted and the result of the restructuring of the ticket checking staff could not be brought to the knowledge of this Hon'ble Tribunal.

3. The OA was filed for quashing of the cancellation of selection held for the post of Head TTE/Head TCR/COR (Head Ticket Collectors), and therefore, the Bench directed the respondents to hold the fresh selection obviously on the basis of the

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notification issued by the Divisional Railway Manager Office, New Delhi on 20th April, 1988. Though, the Bench did not quash the order of cancellation of selection but directed the respondents to hold fresh selection towards the existing vacancies as per the notification in the year 1988. The applicants in the Original Application have also filed the reply statement.

4. We have heard the counsel on either side and perused the records.

5. Review of an order can be made only on specific grounds under circumstances enumerated under Section-17 of the Administrative Tribunal Act, 1985 that if there is any error apparent on the face of the records or of any important piece of evidence or any important question of law which was not considered nor brought to the notice of the Bench in spite of exercise of due diligence by the parties concerned. The fact that something which was within the knowledge of the respondents which was not brought to the notice of the Tribunal is not a ground for review of the order. In fact the factum of restructuring and promotion of certain officers was noted by the Bench in the order itself. Therefore, it is unfortunate to say that this was omitted to be brought to the notice of the Bench. It was actually after noting that fact that the Bench decided the case.

6. In view of what is stated above we find no ground for review of the order and, therefore, this RA is dismissed leaving the parties to bear their own costs.


(B.R.SINGH)
Member(A)

/RAO/


(A.V.HARIDASAN)
Vice-Chairman(J)