

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH
ALLAHABAD.

Dated : Allahabad, the 30th day of March, 2001.

Coram: Hon'ble Mr. S. Dayal, AM
Hon'ble Mr. Rafiq Uddin, JM

REVIEW APPLICATION No. 35 OF 1999

In

ORIGINAL APPLICATION NO. 1252 OF 1995

Arun Kumar Srivastava Applicant

Versus

Union of India

and another. Respondents

Counsel for the applicant: Arun Kumar Srivastava
in person.

Counsel for the Respondents: Sri A.K. Gaur

O R D E R (ORAL)

(By Hon'ble Mr. S. Dayal, AM)

The applicant has filed this Review Application on the ground that a Division Bench of this Tribunal has committed a manifest error of law by holding that repeated representations are not remedies provided under Railway Servants (Discipline and Appeal) Rules, 1968 and that Rule 18 (iv)& (v) read with Railway Orders dated 14-2-69 provides remedies for the applicant to be exhausted before approaching the Tribunal. The second ground taken is that repeated representations even though disposed of by the order dated 22.12.94 would not give a fresh cause of action to the applicant and limitation would apply in such cases.

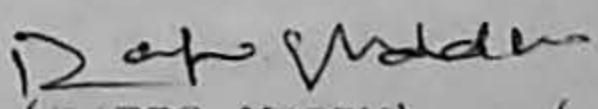
2.

It is also contended that the Tribunal has committed an error of law by recording that Paragraph 218 of Indian Railways Establishment Manual lays down procedure for removal of name from the select-list and that the order of removal fulfils requirements inasmuch as the applicant was not warned about the unsatisfactory performance.

It is also contended that the pronouncements of Hon'ble Supreme Court have a binding effect and a judgment contrary to the provisions cannot survive. It has also been stated that the judgment has been swayed by considerations of irrelevant matter like challenge to medical de-categorisation etc. and, therefore, the order in the O.A. deserves to be reviewed.

2. We have carefully considered the contentions of the applicant, as made in his Review Application. The purpose of review is very limited. The purpose of review is for correction of error apparent on the face of record or/and taking into consideration some evidence, which was not available at the time the O.A. was filed and heard or for any other sufficient reason.

3. The purpose of review cannot be that co-ordinate Bench, re-considers the order on merits and reverses the same. We, therefore, reject the application for review.


(RAFIQ UDDIN) (S. DAYAL)
JUDICIAL MEMBER MEMBER(A)

Nath/