

(A)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALAHABAD BENCH.

...

Review Applicant No. 323 of 1991 (L)

IN

T.A. No. 826 of 1987

( W.P. No. 3221 of 1981)

R.K. Tandan ... ... Applicant.

Vs.

Union of India and others ... ... Respondents.

...

Hon'ble Mr. D.K. Agrawal, J.M.

Hon'ble Mr. K. Obayya, A.M.

( By Hon'ble Mr. K. Obayya, A.M.)

This review petition is directed against the order and judgment dt. 26.4.1991 in T.A. No. 826 of 1987 R.K. Tandan Vs. Union of India and others.

2. The applicant who is working as Travelling Ticket Examiner in N.E. Railway was proceeded with departmentally on a charge of accepting illegal gratification from a passenger. The departmental proceedings resulted in imposition of punishment of reduction to a lower scale for a period of 2 years. These orders were issued by way of a review by the competent authority under rule 25 of Railway Servants (Discipline & Appeal) Rules, 1968 . The punishment order was challenged by the applicant on the ground that it was passed without jurisdiction. The orders were arbitrary and illegal. The above <sup>T.A. No.</sup> 826 of 1987 was dismissed by us as without any merit.

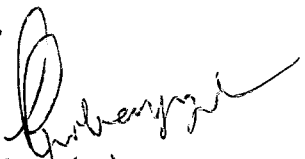
3. In the review petition, it is stated that the above T.A. No. 826 of 1987 was disposed of only on the ground of competence of the Reviewing Authority and that we

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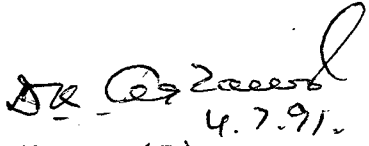
have not gone into a question as to whether there was any material before the Reviewing Authority to disagree in the finding of the Reviewing Authority.

4. We have carefully examined our order dt. 26.4.1991. In para 8 of the order, there is comprehensive discussion of the merits of the case of the applicant. We held that the Reviewing Authority has exercised its mind and that there was no violation of the provisions laid down in Rule 25 of the Railway Servant ( Discipline & Appeal) Rules, 1968.

5. The scope of Review Petition is limited only to correction of patent errors of fact or law. We do not see any error either of fact or of law in our order and the Review Petition, in these circumstances, is liable to be dismissed and accordingly it is dismissed with no order as to costs.

  
Member (A)

Dated: 4/7/1991  
Allahabad.

  
Member (J)

(n.u.)