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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH  
AT HYDERABAD.

R.P.No.82/91  
in  
O.A.No.996/90.

Date of Judgment 18.2.1992.

Mrs. Begum Jani

.. Applicant

Vs.

1. The Secretary,  
Min. of Communications,  
Dept. of Posts,  
Dak Bhavan,  
New Delhi.
  2. The Addl. Secretary,  
Dept. of Pension &  
Pensioners Welfare,  
Nirwahan Sadan,  
New Delhi.
  3. The Chief Postmaster-General,  
Andhra Circle,  
Hyderabad-500001.
  4. The Director of Postal Services,  
O/o Postmaster-General,  
Andhra Circle,  
Hyderabad-500001.
  5. The Sr. Supdt. of Post Offices,  
Hyderabad Division,  
Hyderabad-500001.
  6. The Sr. Postmaster,  
Hyderabad GPO,  
Hyderabad.
- .. Respondents

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Counsel for the Applicant : Shri S.D.Kulkarni

Counsel for the Respondents : Shri N.R.Devaraj, Addl. CGSC

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CORAM:

Hon'ble Shri R.Balasubramanian : Member(A)

Hon'ble Shri T.Chandrasekhar Reddy : Member(J)

[ Judgment as per Hon'ble Shri R.Balasubramanian, Member(A) ]

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This review petition has been filed by Mrs. Begum Jani under Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987 against the Secretary, Min. of Communications, Dept. of Posts, Dak Bhavan, New Delhi & 5 others, seeking a review of the judgment dated 28.8.91 in O.A.No.996/90. The grounds raised in this review

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petition are:

- (a) That the termination of services of the late Shri Syed Jaffar, the applicant's husband, under Rule 5 of the Temporary Service Rules, 1947 was irregular.
- (b) That his widow is entitled to family pension.
- (c) That the termination of his services on 14.9.64 was on medical grounds.

2. The respondents have filed a counter affidavit and oppose the review petition. The review petition was heard by this Bench on 13.2.92. At the time of hearing, the learned counsel for the applicant Shri S.D.Kulkarni was <sup>laying stress</sup> ~~relying~~ only on one point viz: that the letter dated 30.5.88 from the Sr. Supdt. of Post Offices, Hyderabad Division shows clearly that the termination of services of the deceased official was due to medical invalidation and if that be the case then his widow is entitled to family pension according to the latest rules. We have again examined the judgment dated 28.8.91 in O.A. No.996/90. In para 5, the contents of this letter had clearly been covered. The same letter was produced again. We find from the letter that it is only the claim of the applicant's widow that the termination was on account of invalidation. Since, however, in the latter portion of the letter the Sr. Supdt. of Post Offices had somewhat indicated that it was due to invalidation, <sup>the earlier Bench</sup> we further checked up for further corroborative evidence in the records of the respondents. There being no evidence, the Bench that passed the judgment came to the conclusion that the claim was not acceptable. The learned counsel for the applicant was not able to point out any error apparent based on facts or documents. What in effect he wants is a reconsideration of the decision already made. This is not done by way of review and

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if the applicant has to get any remedy it is <sup>only</sup> by way of appeal.  
In view of this situation, we dismiss the review petition with  
no order as to costs.

*R. Balasubramanian*  
( R. Balasubramanian )  
Member(A).

*T. Chandrasekhar Reddy*  
( T. Chandrasekhar Reddy )  
Member(J).

Dated 18<sup>th</sup> February, 1992.

*A. S. V. S. R.*  
Deputy Registrar (J)

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To

1. The Secretary, Min. of Communications,  
Dept. of Posts, Dak Bhavan, New Delhi.
2. The Addl. Secretary, Dept. of Pension  
and Pensioner Welfare, Nirwahan Sadan, New Delhi.
3. The Chief Postmaster-General,  
Andhra Circle, Hyderabad-1.
4. The Director of Postal Services,  
O/o Postmaster-General, Andhra Circle, Hyderabad-1.
5. The Sr. Supdt. of Post Offices, Hyderabad Division, Hyderabad-1
6. The Sr. Postmaster, Hyderabad G.P.O. Hyderabad.
7. One copy to Mr. S. D. Kulkarni, Advocate  
Neel Rekha, 99, Postal Colony, Trimulgherry, Hyd-95.
8. One copy to Mr. N. R. Devraj, Addl. CGSC. CAT. Hyd. Bench.
9. One spare copy.

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*4/2/92*