

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH
AT HYDERABAD

RA.94/99 in
OA.437/99

dt.16-2-2000

Chennaiah, M

: Applicant

Vs.

1. Financial Adviser &
Chief Accounts Officer
SC Rly., Secunderabad

2. Chief Sr. Accounts Officer
SC Rly., Vijayawada

3. Divnl. Rly. Manager
SC Rly., Vijayawada Divn.
Vijayawada

: Respondents

Counsel for the applicant

: S. Ramakrishna Rao
Advocate

Counsel for the respondents

: K. Siva Reddy
SC for Railways

Coram

Hon. Mr. Justice D.H. Nasir, Vice Chairman

RA. 94/99 in OA. 437/99

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Order

Oral order (per Hon. Mr. Justice D.H. Nasir, Vice Chairman)

Heard Mr. S. Ramakrishna Rao, learned counsel for the applicant and Mr. K. Siva Reddy, learned counsel for the respondents.

1. On hearing the learned counsel at length and after ^{perusing} ~~observing~~ the order which is sought to be reviewed, I believe that the applicant does not succeed in making out a case for review inasmuch as no error apparent on the face of the judgement is pleaded or pointed out. The RA seeks to alter the judgement on its ^{as per} ~~meritorious~~ ^{decided} order which cannot be considered in an RA. Moreover, the applicant himself stated in his petition for reviewing the judgement ~~has stated~~ in para-5 that it was ^{decided} ~~heard~~ by the Hon. Supreme Court of India, in Sahib Ram Vs. State of Haryana and others (1995 SCC (L&S) 248) that excess payment if any by the authority concerned without misrepresentation by the employee, the recovery cannot be made and the respondents are liable to be restrained themselves from such recovery.
2. In view of the view expressed by the Hon. Supreme Court ^{cause for} ~~and~~ also we do not find any substance in reviewing the order.
3. The RA is rejected. No costs.

D.H. Nasir
(D.H. Nasir)
Vice Chairman

Dated: 15 February, 2000
dictated in Open Court

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