

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of order: 24.5.95

PA 54/94 in OA 756/92

1. Union of India through General Manager,  
Western Railway, Church Gate, Bombay.
2. Chief Works Manager, Wagon Repairs Workshop,  
Western Railway, Kota.

... Applicants

VERSUS

Mahendra Prakash Srivastava S/o Shri Jainarain  
Srivastava Mistri, C/o Chief Works Manager,  
Wagon Workshop Kota, resident of 258-D Wagon  
Repair Workshop Colony, Kota Junction.

... Respondent.

CORAM

Hon'ble Mr. Gopal Krishna, (Vice Chairman)  
Hon'ble Mr. C.P. Sharma, Member (Administrative)

For the Applicants	...	Mr. S.S. Hassan
For the Respondent	...	Mr. C.E. Sharma

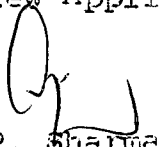
O R D E R

(PER HON'BLE MR. C.P. SHARMA, MEMBER (ADMINISTRATIVE))

This Review Application has been filed by Union of India through General Manager and Chief Works Manager, Wagon Repairs Workshop, Western Railway, Kota, who were respondents in OA no. 756/92, which was disposed of by the Tribunal on 16.5.94. In the Review Application, the Union of India and others have stated that there is an error of law apparent on the record committed by the Tribunal while passing the order dated 16.5.94. During the course of arguments, the learned counsel for the Union of India & Others have stated that the Tribunal has granted that relief to the applicant, which was not even prayed for. We have carefully perused the Review Application, the claims made in the OA and the order passed by the Tribunal on

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16.5.94. We find that there is no error of law apparent on the face of record, committed by the Tribunal in passing the order dated 16.5.95. The Union of India & Others seeking review in fact want that the Tribunal should reinterpret the relevant rules/circulars and accept the interpretation placed by Union of India & others. Such a course of action is not permissible under the law. Moreover, the Tribunal is empowered to mould relief to the applicant in a suitable manner, having regard to the facts and circumstances of each case. Therefore, the relief granted to the applicant was justified in the circumstances of the case. We are accordingly of the view that no case of review of the order passed on 16.5.94 is made out. Accordingly the Review Application is dismissed.

  
(O.P. Sharma)  
Member(A)

  
(Gopal Krishna)  
Vice Chairman