

THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH, JAIPUR
ORDER SHEET

APPLICATION NO.: _____

Applicant(s) *Ashwani Kumar Bhadraway*

Respondent(s) *K.V.S & Ors.*

Advocate for Applicant(s)

Advocate for Respondent(s)

DATES OF THE REGISTRY	ORDERS OF THE TRIBUNAL
<u>17.7.07</u>	<p><u>RA 6/2007 (on 496/2006)</u></p> <p>The Lesser Application stands disposed of today, by a separate order, by circulation.</p> <p><i>Praveen</i> (<i>J.P. Shukla</i>) <i>M(A)</i></p> <p><i>K.D.</i> (<i>Kan Dip Singh</i>) <i>V.C.</i></p>

CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH,
JAIPUR.

Jaipur, the 17th day of July, 2007

REVIEW APPLICATION NO.6/2007

IN

ORIGINAL APPLICATION NO.496/2006

CORAM :

HON'BLE MR.KULDIP SINGH, VICE CHAIRMAN
HON'BLE MR.J.P.SHUKLA, ADMINISTRATIVE MEMBER

Ashwani Kumar Bhardwaj
S/o Shri S.N.Bhardwaj,
R/o Staff Quarters No.4,
KVS Campus,
92, Gandhi Nagar Marg,
Bajaj Nagar,
Jaipur.

... Applicant

Versus

1. Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shahid Jeet Singh Marg,
New Delhi,
Through Commissioner.
2. Joint Commissioner (Admn) Shri P.R.Srivastava,
Kendriya Vidyalaya Sangathan,
18, Institutional Area,
Shahid Jeet Singh Marg,
New Delhi.
3. Asstt. Commissioner,
Kendriya Vidyalaya Sangathan,
Regional Office,
92, Gandhi Nagar,
Bajaj Nagar,
Jaipur.
4. Shri D.K.Saini,
Asstt.Commissioner,
Kendriya Vidyalaya Sangathan,
Regional Office,
92, Gandhi Nagar,
Bajaj Nagar,
Jaipur.

Amrit

At present Deputy Commissioner,
KVS, 18, Institutional Area,
Shahid Jeet Singh Marg,
New Delhi.

... Respondents

ORDER

PER HON' BLE MR.J.P.SHUKLA

This Review Application has been filed under Rule-17 of the Central Administrative Tribunal (Procedure) Rules, 1987, with a prayer that the words "remaining period as on leave" may be deleted from the order/decision dated 15.6.2007, passed by this Tribunal in OA 496/2006 (Ashwani Kumar Bhardwaj v. Kendriya Vidyalaya Sangathan & Ors.), by which the said OA was allowed.

2. Powers of this Tribunal in the matter of review of its order are akin to powers of the Civil Court and are governed by Order-47 Rule-1 of the Code of Civil Procedure. This rule provides that review can be done if there is an error apparent on the face of the record or if there is such material fact or the point of law which could not be brought to the notice of the Tribunal/Court despite due diligence.

3. In the relief clause of OA 496/2006 the applicant prayed for the following relief :

- "a) The transfer order Annexure A-1 dated 19.12.06 and Annexure A-2 relieving order dated 23.10.06 may kindly be quashed and set aside.
- b) That the period from 23.10.06 to 19.12.06 may kindly be treated on duty as the applicant was relieved from duty by unauthorized/illegal transfer order dated 20.10.06.
- c) Any other relief which is favourable to the applicant may also be awarded."

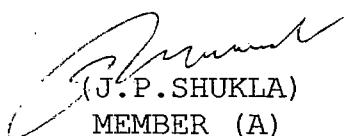
Shukla

J.P.

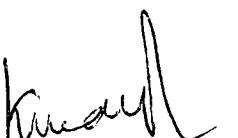
4. On perusal of the relief claimed by the applicant in OA 496/2006, it is seen that the applicant has not prayed that the remaining period may be treated as on leave, still in the order/decision dated 15.6.2007 this Tribunal has given direction for the same. Hence, there is error apparent on the face of record and this Review Application deserves to be allowed.

5. Accordingly, this Review Application is allowed and the words "remaining period as on leave" may be treated as deleted from the order/decision dated 15.6.2007, passed in the case of Ashwani Kumar Bhardwaj v. Kendriya Vidyalaya Sangathan & Ors.

6. This Review Application stands disposed of accordingly, by circulation.



(J.P. SHUKLA)
MEMBER (A)



(KULDIP SINGH)
VICE CHAIRMAN

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