

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

Date of order: 04.10.2001

RA No.35/2001 (OA No.319/2001)

1. Union of India through General Manager, Western Railway, Churchgate, Mumbai.
2. Divisional Railway Manager, Western Railway, Jaipur
3. Sr. Divisional Personnel Officer, Western Railway, Jaipur

..Review Applicants/Respondents

Versus

1. Shri R.K.Kashyap s/o Shri K.C.Kashyap r/o M-18, Madhuvan Colony, Tonk Phatak, Jaipur at present posted as O.S. Grade-II, in the Estt. Branch, D.R.M.Office, W/Rly, Jaipur
2. Nirmal Kumar Jain s/o Shri U.S.Jain r/o E-720, Vaishali Nagar, Jaipur at present posted as O.S.Grade-II, in the Estt. Branch, D.R.M.Office, Western Railway, Jaipur

.. Respondents/Applicants

3. Shri Ramesh Kumar Kalcriya, O.S. Grade-I, C/o Sr. Divisional Personnel Officer, Western Railway, Power House Road, Jaipur

.. Respondent

Mr. Manish Bhandari, counsel for the review applicants.

ORDER

Per Hon'ble Mr. Gopal Singh, Administrative Member

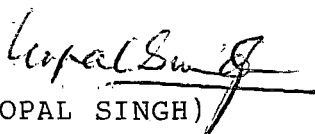
In this Review Application, the Union of India (official respondents in OA), has prayed for recall of our order dated 17.8.2001 passed in OA No.319/2001

Gopal Singh

specifically on the ground that the Tribunal has gone beyond its jurisdiction in taking into consideration the facts which were not pleaded by the parties. The applicants have, however, not brought out any error apparent on the face of records. We had gone into some details of the reservation in a small cadre of 9 or 12 posts and had also tried to elaborate the operation of 'L' shape roster mainly for the purpose of making the position clear. The applicants (official respondents in OA) have also not brought out in the present Review Application the base grade seniority of the respondents so as to establish their claim that some of them were promoted on the basis of their seniority in the base grade and not on reservation roster.

2. The scope of review application is very limited and the case cannot be reopened for rehearing through a Review Application. Further in AIR-2000 SC 85, Ajit Kumar Rath v. State of Orissa, Hon'ble the Supreme Court has held that correction of an erroneous view taken earlier is not permissible in review.

3. In the light of above discussions, we do not find any mistake apparent on the face of the records and this Review Application is liable to be dismissed and is hereby dismissed by circulation.


(GOPAL SINGH)

Adm. Member


(B.S. RAIKOTE)

Vice Chairman