

Reserved on 29.5.2018

Central Administrative Tribunal , Allahabad Bench,

Allahabad

Review Application No. 330/00024/2013 in  
O.A. No. 330/00289/2013

Pronounced on 31st day of May, 2018

Hon'ble Dr. Murtaza Ali, Member (J)

Hon'ble Mr. Gokul Chandra Pati, Member (A)

1. Union of India through General Manager, North Central Railway, HQ, Subedarganj, Allahabad.
2. Divisional Railway Manager, NCR, Allahabad.
3. Dy. Chief Personnel Officer, NCR, Allahabad

Applicants/Reviewist

By Advocate: Sri S. Srivastava for Sri Anil Kumar

Versus

O.P. Bajpai

Respondents/Applicant in O.A.

By Advocate: Sri Rishi Kumar

**ORDER**

**HON'BLE DR. MURTAZA ALI, MEMBER (J)**

The present Review Application is preferred by the respondents of the O.A. for reviewing the order dated 13<sup>th</sup> March, 2013 by which the Tribunal disposed of the O.A. with the direction to the respondents to consider and dispose of the prayer of the applicant for revaluation of the relevant answer sheets within a period of 2 months treating the O.A. as a part of the representation and if it is found that the applicant deserves more marks, the benefit of the same be granted to him.

2. Respondents of O.A. filed the Review Petition against the order passed by this Tribunal on the ground that O.A. was allowed without granting time to the respondents to file counter affidavit. It is further submitted that no direction of revaluation can be given in the absence of rules to that effect.

3. This Tribunal while deciding the O.A. has only disposed of the O.A. with direction to the respondents to consider and dispose of the prayer of the applicant for revaluation of answer sheet treating the O.A. as representation, but the respondents instead of considering the prayer of applicant filed this review application. In case respondents find that prayer of applicant is not feasible, he should pass a reasoned and speaking order in compliance of the direction passed by this Tribunal.

4. As categorically pointed out by the Hon'ble Apex Court that who has decided the matter cannot re-apprise the entire issue afresh. Only the typographical error or the error apparent on record can be rectified in the Review Application. Since the Tribunal while deciding the O.A. No.289/2013 has only directed to consider and dispose of the prayer of applicant for revaluation of answer sheet, as such there appears to be no justified reason to interfere in the present Review Application and there appears neither any error apparent on the face of record which can be corrected in a review application nor a Tribunal can write a second order since it cannot sit on appeal on its own order.

5. Considering the facts and circumstances of the case and law laid down by the Hon'ble Apex Court, we do not find any ground to interfere with the present review petition. Review petition lacks merit and deserves to be dismissed. Accordingly, Review Petition is dismissed.

**(Gokul Chandra Pati)**  
Member (A)

**(Dr. Murtaza Ali)**  
Member (J)

HLS/-