

**Central Administrative Tribunal
Principal Bench, New Delhi.**

**RA-195/2016 in
OA-1708/2013**

New Delhi this the 15th day of September, 2016.

Hon'ble Mr. Shekhar Agarwal, Member (A)

Mrs. Surjeet Kaur, Aged-49 years,
W/o Sh. G.S. Ghai,
R/o 14/9, Sewa Nagar Railway Colony,
New Delhi-110003.

.... Review Applicant

Versus

1. Union of India through
The General Manager,
Northern Railway, Baroda House,
New Delhi.
2. The Additional Registrar,
Railway Claims Tribunal,
13/15, Mall Road, Delhi.
3. The Additional Registrar,
Railway Claims Tribunal,
Near New Ghaziabad Railway Station,
Lohia Nagar, Ghaziabad (UP). Respondents

ORDER (BY CIRCULATION)

This Review Application has been filed by the OA applicant for review of our order dated 29.04.2016 by which OA-1708/2013 was dismissed. The review applicant has argued that in the judgment this Tribunal has observed that it was the discretion of the competent authority to grant or not to grant the leave asked for. However, in the instant case, the review applicant had only sought conversion of

LAP to CCL and not grant of fresh leave for any period. Hence, this Tribunal has committed an error, which is apparent on the face of the record.

2. I have considered the aforesaid submission. In my opinion, there is no merit in this argument. Conversion of LPA into CCL also involves grant of CCL in place of LAP, which would be the discretion of the competent authority. Hence, we do not find error in the judgment on this account.

2.1 Next the review applicant has submitted that this Tribunal has observed in the judgment that the various applications made by the applicant for grant of LAP were for purposes, such as, marriage of nephew, applicant unwell or suffering from fever etc. This according to the review applicant was a factual error as was clear from pages-20 onwards of the rejoinder, according to which, LAP was granted only for the purpose of study of the child and was duly sanctioned by the competent authority

3. I have gone through our judgment and have also perused the OA file. We find that with their reply the respondents have attached some of the leave applications of the applicant. They are available at pages-56 to 64 of the paper-book. At page-56 is an application of the applicant seeking LAP from 15.12.2008 to 19.12.2008. The purpose for which LAP has been asked for is marriage of nephew of

the applicant. Next on page-57 is an application for LAP from 02.12.2008 to 05.12.2008. The reason for asking for this LAP was that the applicant was suffering from fever. Next on page-58 is another application asking for LAP from 10.12.2008 to 11.12.2008 on the same ground. On page-60 is an application for LAP from 05.01.2009 to 06.01.2009. The purpose for asking for this leave was that the applicant was unwell. Thus, we find that the argument of the applicant is not supported by the documents made available by the respondents. Hence, there is no error in our judgment.

4. I, therefore, do not find any merit in this Review Application and dismiss the same in circulation.

**(Shekhar Agarwal)
Member (A)**

/Vinita/