

Central Administrative Tribunal
Principal Bench
New Delhi

R.A.No.245/2017
in
O.A.No.3946/2017

New Delhi, this the 13th day of December, 2017

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)

S.K.Chaudhary
R/o H.No.A4
Sector-56, Noida
UP.

... Applicant

Versus

1. ESIC & Ors.
Through, Director General
Employees State Insurance Corporation
Panchdeep Bhawan, Kotla Road
New Delhi.
2. The Financial Commissioner/Administration
Employees State Insurance Corporation
Panchdeep Bhawan, Kotla Road
New Delhi.
3. National Sugar Institute
Govt. of India
Ministry of Consumer Affairs, Food and Public
Distribution, Kanpur. ... Respondents

O R D E R (By circulation)

By V. Ajay Kumar, Member (J):

OA No.3946/2017 filed by the applicant was disposed of by this Tribunal on 15.11.2017 as under:

"Heard the learned counsel for applicant.

2. The applicant who was working as Assistant Engineer (Electrical) on a substantive post in the National Sugar Institute, appointed on the post of Executive Engineer (Electrical) in Employees' State Insurance Corporation (ESIC) by transfer on deputation vide Annexure-A/4 dated 09.03.2016. He filed the instant OA having aggrieved by the impugned Annexure-A/1 order dated 25.09.2017, whereunder he was repatriated to his parent department w.e.f. 25.09.2017. It is submitted that the applicant was relieved from the ESIC in pursuance of the impugned orders and that he made a representation vide Annexure-A/14 dated 26.09.2017 against his premature repatriation to the respondent No.3. However, no orders have been passed thereon till date.

3. In the circumstances, the OA is disposed of without going into the merits of the case by directing the respondents to consider Annexure-A/14 representation of the applicant dated 26.09.2017, by passing a reasoned and speaking order within a period of 30 days from the date of receipt of a certified copy of this order, in accordance with law. However, joining of the applicant in his parent department is without prejudice to his rights. No costs.

4. Let a copy of the OA, be enclosed to this order."

2. The applicant in the OA filed the instant RA seeking to review and recall the aforesaid order.

3. The applicant failed to show any valid ground or any error apparent on the face of the record of the Judgement dated 15.11.2017, which is the *sine qua non* for entertaining a Review Application, on the other hand, is trying to reargue the OA by raising various grounds on merits, which is impermissible as per the settled principles of law.

4. Accordingly, the RA is dismissed, being devoid of any merit with costs of Rs.5000/- payable to the Delhi Legal Services Authority within four weeks from the date of receipt of a copy of this order.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

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