

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

RA 22/2017 in
OA 371/2016

New Delhi, this the 30th day of January, 2017

**Hon'ble Mr. P.K. Basu, Member (A)
Hon'ble Mr. Raj Vir Sharma, Member (J)**

Shri R.P. Saxena
Aged about 66 years
S/o Shri R.B. Saxena
R/o E-33, South Extension-I
New Delhi-110049

... Applicant

Versus

1. Union of India
Ministry of Water Resources
RD & GR
Shram Shakti Bhawan,
New Delhi-110001
(Through its Secretary)
2. Ministry of Personnel, PG & Pensions
Department of Personnel & Training,
North Block, New Delhi-110001
(Through its Secretary)
3. Central Water Commission
Ministry of Water Resources, RD & GR
Sewa Bhawan, R.K. Puram,
New Delhi-110066
(Through its Chairman)

... Respondents

ORDER (In Circulation)

Mr. P.K. Basu, Member (A)

The claim of error apparent on the face of record by the applicant is as follows:

- (i) Though the Tribunal has noted the orders/judgments of the Coordinate Benches of this

Tribunal, these have not been dealt with in the order;

- (ii) That it has escaped the notice of the Tribunal that condition of OM dated 24.04.2009 cannot supersede or tone down the resolution dated 29.08.2008. In this regard, reliance is placed on **SI Roop Lal and others Vs. Lt. Governor through Chief Secretary, Delhi, JT 1999 (9) SC 597.**

2. It would be seen from our order dated 29.11.2016 that we have discussed OA 761/2012, OA 2143/2014 and OA 3965/2014. In our order in para 6, we have stated after discussing the facts of the OA why they are different from the issue raised in the aforesaid OAs. We have also explained in our order why we have considered the OM dated 24.04.2009.

3. Thus, all the grounds raised by the applicant had been dealt with by us at the stage of the OA and they were considered in our order and the contentions of the applicant rejected, giving reasons.

4. We have gone through the RA. We do not find anything in RA which suggests an error apparent on the face of the record or any other sufficient reason for a review. In this regard, the Hon'ble Supreme Court has settled the law. We refer, in particular, to the judgments of the Hon'ble Supreme Court in **Kamlesh Verma Vs. Mayawati and others, (2013) 8 SCC 320**

and **State of West Bengal and others Vs. Kamalsengupta and another**, (2008) 8 SCC 612.

5. The RA being an attempt to reargue the case, cannot be entertained. It is, therefore, dismissed in circulation.

(Raj Vir Sharma)
Member (J)

(P.K. Basu)
Member (A)

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