

RA.No.170/00019/2018(OA.No.616/2017)/CAT/Bangalore Bench
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

**REVIEW APPLICATION NO.170/00019/2018 IN ORIGINAL APPLICATION NO.
170/00616/2017**

DATED THIS THE 16th DAY OF APRIL, 2018

**HON'BLE DR.K.B. SURESH, MEMBER (J)
HON'BLE SHRI PRASANNA KUMAR PRADHAN, MEMBER (A)**

1. Union of India
By its Secretary
Ministry of Communication
Department of Posts
Dak Bhavan, Sansad Marg
New Delhi-110 001.
2. The Post Master General
South Karnataka Region
Bangalore-560 001.
3. The Director of Postal Services
South Karnataka Region
2nd Floor, GPO Building
Rajbhavan Road
Bangalore-560001.
4. Senior Superintendent of Post Offices
Mangalore Division
Mangalore-575002.

(By Advocate Shri M.Raja Kumar)

vs.

Srinivas Kulai
Aged about 60 years
Retired PA, Mangaluru Head Post Office
Mangaluru-575003.
R/at-Shreya Residency Ganeshpura
Post-Katipalla
Mangaluru-575002.

...Review Respondent

ORDER (BY CIRCULATION)

(PER HON'BLE PRASANNA KUMAR PRADHAN, MEMBER (A))

The original respondents in OA.No.616/2017 have filed the present Review Application raising an objection to the observation made in order dtd.02.03.2018 that 'during the hearing Ld.Counsel for both the parties agreed that this matter has been covered by the judgment passed by this Tribunal in similar cases'. The review applicants submit that the Counsel made a submission that the present case is not covered and hence this observation is not correct and amounts to error apparent on the face of the order.

2. We note that in the review application, the Counsel has not brought out any facts to substantiate as to how the case is not covered by earlier order passed by the Tribunal in similar cases. The fact remains that during the hearing the Ld.Counsel for the applicant highlighted the earlier orders passed by the Tribunal in similar cases and the Ld.Counsel for the respondents did not point out anything to the contrary. It is also quite irrelevant as to whether the Ld.Counsel for the respondents had agreed to the fact that this matter is covered by earlier judgment passed by this Tribunal in similar cases or not. The order itself explained the facts in the present case in detail and also referred in detail the earlier orders passed by this Tribunal which was upheld by the Hon'ble High Court of Karnataka which would make it clearly evident that both the cases are exactly similar. Hence, the fact of whether the Learned Counsel for the respondents agreed to the fact of the matter being covered by earlier judgments passed by this Tribunal in similar cases or not has absolutely no bearing on the final decision taken by the Tribunal based on the factual position mentioned in the other.
3. Therefore, we are of the view that there is no error apparent on the face of the

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record in the aforesaid order and it does not necessitate any review.
Therefore, the review application being of devoid of any merit stands
dismissed. No order as to costs.

(P.K. PRADHAN)
MEMBER(A)

(DR. K.B. SURESH)
MEMBER (J)

/ps/

Annexure-RA1: Copy of order dtd.02.03.2018 passed in OA.No.616/2017
