

RA.No.170/00020/2018(OA.No.440/2017)/CAT/Bangalore Bench
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

REVIEW APPLICATION NO.170/00020/2018 IN ORIGINAL APPLICATION NO.
170/00440/2017

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
Rep. by its Secretary
Department of Posts
Dak Bhavan
New Delhi-110 001.
2. Chief Post Master General
Karnataka Circle
Bangalore-560 001.
3. Senior Superintendent
Bengaluru Sorting Division
Bengaluru-560 026.

...Review applicants

(By Advocate Shri M.Raja Kumar)

Vs.

1. Jaimuni Rao. S
Aged about 63 years
S/o.Shama Rao
Retired as Sorting Assistant
Bengaluru City R.M.S.
Bengaluru-560 023.

Residing at:
No.23, 'Anche Nivasa'
6th Cross, S.V.G.Nagar
Mudalapalya
Bengaluru-560 072.

2. G.Mathi Yazhagan
Aged about 65 years
S/o.Late A.Ganapathi
Retired as Sorting Assistant
Bengaluru City R.M.S.
Bengaluru-560 023.

Residing at:
No.711, 4th Cross
1st Main Road
Bhuvaneshwarinagar
R.T.Nagar
Bengaluru-560 032.

... Review Respondents

O R D E R (BY CIRCULATION)

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

The original respondents in OA.No.440/2017 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 applicants 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

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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
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/

Annexures referred to by the review applicants in RA.170/00020/2018

Annexure-RA1: Copy of order dtd.02.03.2018 passed in OA.No.440/2017
