

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
RA 050/00013/2019
With
MA/050/00041/2019
[Arising out of OA/050/00782/2014]

Date of Order: 21/01/2019

C O R A M

HON'BLE MR. JAYESH V. BHAIRAVIA, JUDICIAL MEMBER
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER

Renu Sinha, Applicant.

- Versus -

(i) Smt. Usha Kumari & Ors..
(ii) Union of India & Ors. Respondents.

O R D E R
[In Circulation]

Per Dinesh Sharma, A.M.:- The instant Review Application has been filed by private respondent no. 7 in the OA Smt. Renu Sinha seeking review of our order dated 14.12.2018 passed in OA/050/00782/2014 by which the OA was disposed of with certain observations and directions.

2. We have gone through the review application. It is well settled in law that the scope of review is very limited only to correcting self-evident errors. In the Tribunal's order dated 14.12.2018 there is no error apparent on the fact of record.

3. The facts raised in the RA (about the applicant in the RA having given option for transfer earlier) has already been mentioned in the judgment and therefore the claim that it was not considered by the Tribunal

while deciding the case, is not correct. The arguments mentioned in the RA was also raised in the pleadings before the OA and the judgment has apparently taken all these into consideration while deciding the case. The fact that though the review applicant had earlier given option, that option could not be considered and later the case was considered as one of requests. This fact is not denied even in the present RA. There is no apparent error in the understanding of facts. The earlier decision of the Tribunal (OA No. 291 of 2007 dated 14th July 2010) apparent does not fit on the facts of this case and cannot be a subject matter in a review application. Questioning the legal pertinence of the application of Rule 311 and 312 in this case is also not a matter which can be raised in a RA since that amounts to challenging the legality of this judgment and is not an error apparent on the face of record.

7. Since the aforesaid order of the Tribunal has been passed after detailed adjudication, the review application amounts to request for re-hearing and re-adjudication on the same issues which is beyond the scope of review. Therefore, the RA is dismissed. MA/050/00041/19 which is filed for fixing an early date of hearing instead of its disposal in circulation is, accordingly, dismissed.

[Dinesh Sharma]
Administrative Member

Hon'ble Mr. Jayesh V. Bhairavia, Judl. Member