

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

**RA NO. 151/2004
MA NO. 1244/2004
IN
OA NO. 1451/2003**

New Delhi, this the 22nd day of December, 2004

HON'BLE MR. SARWESHWAR JHA, MEMBER (A)

S.N. Prasad Johri,
S/o Shri Ganesh Rai Johri,
Retired Guard 'A' Spl.,
Northern Railway,
Moradabad

Residential Address:-

S.N. Prasad Johri,
Railway Qtr. No.T-40/C,
Near Railway Stadium,
Moradabad
(By Advocate: Shri G.D. Bhandari)

... **Applicant**

Versus

Union of India, through

1. The General Manager,
Northern Railway,
Baroda House,
New Delhi
2. The Divisional Railway Manager,
Northern Railway,
Moradabad

... **Respondents**

(By Advocate: Shri R.L. Dhawan)

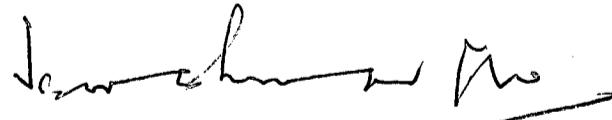
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(8)

ORDER (Oral)

At the outset, the learned counsel for the applicant has submitted that the order as given by the Hon'ble Tribunal on the 23rd March, 2004 while disposing of OA No.1451 of 2003, particularly as contained in paragraph 6 thereof, needs to be clarified as to what claims would constitute undisputed claims for being adjusted towards gratuity and other dues payable to the applicant. The learned counsel for the respondents, however, invited attention to the relevant provisions relating to review of the order of the Tribunal, as contained under Section 22 (3) (f) of Administrative Tribunals Act, 1985 read with Order 47, Rule (1) of CPC, which envisage, among other things, that only in cases where there is apparent error on the face of record, the order can be sought to be reviewed, and that no such error has been noticed in the present order of the Tribunal, even as per the admission of the learned counsel for the respondents. He has further submitted that clarification in respect of the order of the Tribunal cannot be sought through a Review Application. And accordingly, the review application would deserve to be dismissed on this ground alone. According to him, if the applicant has any such clarification to seek, it will constitute a fresh cause of action necessitating filing of a fresh OA, if he so desires.

2. I have perused the facts of the matter and also listened to the learned counsel for the parties carefully and find that there is no error apparent on the face of the record in respect of the order of the Tribunal as given in OA No.145/2003 on the 23rd March, 2004. The RA is, therefore, not maintainable and the same is dismissed.



(Sarweshwar Jha
Member (A))

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