

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

REVIEW APPLICATION NO. 170/00022/2019

IN

ORIGINAL APPLICATION No.170/00371-373/2018

DATED THIS THE 5TH DAY OF SEPTEMBER 2019

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI CV. SANKAR, MEMBER (A)

The Union of India,
& Department of Post

...Review Applicants.

(By Shri S.Sugumaran... ACGSC)

Vs.

N.Venugopal Krishna
and others

...Review Respondents

(By Advocate Shri P.Kamalesan)

O R D E R (ORAL)

HON'BLE DR. K.B. SURESH, MEMBER(J)

1. Heard. The issue is that the earlier view taken by the Tribunal and the High Court had to be reviewed by the High Court which we had been following in other cases also. In this case the issue is slightly different. On the basis of changed view of the Tribunal and the High Court, it is now sought in a review that orders must be passed reviewing the earlier stand taken by the Tribunal and the High Court.

2. Assume the scenario of the Hon'ble Apex Court passing an order which upholds or defeats a settled procedure if it were to be said that all that courts in the country must follow suit that will be administrative as well as judicial chaos. The Hon'ble Apex Court in many cases held that over ruling is only prospective and not retrospective. Therefore, we decline to enter into the picture as the over ruling is only prospective it may not be applicable to a further thinking on the part of judicial authorities as it has already become factors of the issue. RA is dismissed. No order as to costs.

3. We also note that all these embroils started only because the respondents did not produce the correct documents at the correct time. Therefore, we do not think this matter deserves to be looked into at this time. RA dismissed. It is also submitted at the Bar at this point of time that several SLPs moved by the Government in this regard have already been dismissed by the Hon'ble Apex Court and some other SLPs are pending before the Hon'ble Apex Court. The respondents can seek their relief in another fora as they choose.

(CV. SANKAR)
MEMBER (A)

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

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Annexures referred to by the applicants in RA.No.22 /2019

Annexure RA-1: Copy of order dated 31.10.2018

Annexure RA-2: Copy of order dated 28.2.2019 in OA.No.374 to 376/2016