

(20)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

R.A. NO.17/2003
in
O.A. NO.1711/2001

This the 22nd day of January, 2003

HON'BLE SHRI JUSTICE V.S.AGGARWAL, CHAIRMAN

HON'BLE SHRI V. K. MAJOTRA, MEMBER (J)

Mohan Singh

... Applicant

-versus-

Director Education & Ors.

... Respondents

O R D E R (By Circulation)

Hon'ble Shri V.K.Majotra, Member (A) :

This application has been made seeking review of order dated 12.12.2002 passed by this Tribunal in OA No.1711/2001.

2. It has been stated that at the time of arguments two main arguments were advanced on behalf of applicant, however, "the counsel for the applicant was given an opportunity to file the written submission on.....and the orders were reserved". It has been stated that in the order in question various other points taken up in the written submissions have not been dealt with.

3. Paragraph 4 of the review application reads as follows :

"4. That it is relevant to mention here that the order dated 15.1.2001 by which the applicant was given compulsory retirement was challenged on so many grounds and at the time of arguments mainly the emphasis was drawn on two grounds for which at the time of hearing the counsel for the applicant was given an opportunity to file the written submission on.....and the orders were reserved. Further the counsel for the applicant submitted the written submission through the Court

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Master on.....and from the judgement pronounced on 12.12.2002 it reveals that the argument raised by the counsel for the applicant in his written submission has not been taken in to consideration at all. A copy of the written submissions filed by the counsel for the applicant is being annexed hereto and marked as Annexure RA/2."

4. The space for recording the date by which the learned counsel of applicant was asked to file written submissions as also the date when the written submissions were handed over to the Court Officer have been left ~~blank~~.

5. In the records also we do not find any written submissions made on behalf of applicant. The arguments in the OA were made on 21.11.2002 and the order in question was pronounced on 12.12.2002. It is clear that no written submissions had been filed on behalf of applicant. No error apparent on the face of record has been pointed out. The present application is merely an attempt to re-argue the case, which is not permissible in a review petition.

6. As such, the present review application is dismissed in circulation.

V. Majotra

(V. K. Majotra)
Member (A)

V. S. Aggarwal

(V. S. Aggarwal)
Chairman

/as/