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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

R.A. NO.198/2003
in
O.A. NO.2437/2001

This the 21st day of July, 2003

HON'BLE SMT LAKSHMI SWAMINATHAN, VICE-CHAIRMAN (J)

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

S.N.Panigrahi

... Applicant

-versus-

Union of India & Ors.

... Respondents

O R D E R (By Circulation)

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

Applicant has sought review of order dated 26.5.2003 in OA No.2437/2001 whereby the OA was dismissed. Applicant has stated that his counsel Shri N.K.Agarwal "did not agitate the plea of mala fide properly" and "cut out portions of the rejoinder pertaining to specific incidents regarding mala fides resulting in meaningless, sketchy and incoherent statements." He has further stated that he was not allowed to present the facts of the case at the time of arguments. He has also cited a judgment of the Hon'ble Supreme Court in *Delhi Transport Corporation v. D.T.C. Mazdoor Congress*, 1991 Supp. (1) SCC 600.

2. Arguments advanced by the learned counsel of both sides had been heard. When applicant's counsel had been heard, there was no need to hear applicant as well. Objection to or comments on how applicant's counsel had argued the case or conducted himself cannot form the basis of review. Reference to a judgment which could

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have been made at the time of final arguments is futile at this stage. No error apparent has occurred in the Tribunal's order. Applicant in fact seeks to re-argue the whole case which is not within the ambit and scope of review.

3. Accordingly, this review application is dismissed, in circulation.

V. Majotra

(V. K. Majotra)
Member (A)

Lakshmi Swaminathan

(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)

/as/