

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A. NO.66/2003 IN OA 1134/2001

NEW DELHI THIS 25th DAY OF MARCH 2003

HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER (A)
HON'BLE SHRI SHANKER RAJU, MEMBER (J)

Ex. Constable Narendar Singh Review Applicant

VERSUS

Union of India & Others Respondents

O R D E R (in circulation)

BY HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER(A)

M.A. No. 507/2003, seeking condonation of delay is allowed in the interests of justice.

2. RA seeks review and recall of the order dated 23.10.2002 disposing of OA 1134/2001. OA had been dismissed by the following observations:

" We have carefully deliberated upon the rival contentions and gone through the facts brought on record. It is not denied that the applicant was involved in a criminal case in 1986 before he filed his application for the post of Constable. He had also taken anticipatory bail for the purpose. It shows that the applicant was fully aware of the seriousness of the situation but at the time of filing the application for the post of Constable, he had concealed the same as apparently he felt that the said fact probably stood in the way of his selection. Obviously, therefore, his action in not declaring the fact in the application form was deliberate and dishonest and, therefore, he was rightly held to be ineligible for being continued in the Police Force, wherein greater degree of honesty and integrity was called for. Perusal of the documents brought on record also points that all the authorities concerned i.e. Inquiry Officer, Disciplinary Authority, Appellate Authority and Revisional Authority had gone through the proceedings correctly and in accordance with law. No infirmity could be ascribed to any of their actions. Conclusions arrived at by them would, therefore, merit endorsement.

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8. In the above view of the matter, we are convinced that the applicant has not made out any case for our interference. OA, therefore, fails and is accordingly dismissed."

3. RA is sought on three errors apparent on record, none of which has any basis. The attempt is only to re-argue the case, which facts outside the scope of review in terms of Section 22(3) of AT Act, 1985, read with order No. 47 under Rule 1 of Civil Procedure Code. Decision of the Hon'ble Apex Court in Avtar Singh Sekhon Vs UOI & Others [1980 SC 2041] is also relevant. Evidently the RA has no merit.

4. R.A. fails and is accordingly rejected

S. Raju
(Shanker Raju)
Member (J)

Patwal/

Govindan S. Tampl
Member (A)