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Central Administrative Tribunal, Principal Bench, New Delhi

R.A.No.290/2004 in  
O.A.No.1321/2001  
M.A.No.2132/2004

New Delhi, this the 7th day of December, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman  
Hon'ble Mr. S.A. Singh, Member(A)

Lt. Governor,  
National Capital Territory of Delhi,  
Raj Niwas, New Delhi & ors.

.....Applicants

(By Advocate: Mrs. Sumedha Sharma)

Versus

Saroj Kapila,  
W/o Shri D.R. Kapila,  
Welfare Officer, Gr. II,  
Children Home, Lajpat Nagar,  
New Delhi  
R/o A-179, Dayanand Colony,  
Lajpat Nagar,  
New Delhi

.....Respondent

Order(Oral)

Justice V.S. Aggarwal, Chairman

Applicants seek review of the order passed by this Tribunal in O.A.1321/2001

decided on 27.9.2002. They contend that this Tribunal had held:

“Perusal of the documents asked for clearly shows that they were relevant concerning the incident and concerning the dispute whether the applicant was detailed for duty at the relevant time or not. The said application could not, therefore, be set aside simply on the ground that the deptt. is not relying upon those documents. This clearly leads to the conclusion that a fair opportunity had not been granted to the applicant to defend himself, consequently, we allow the application and quash the

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impugned orders. It is directed that a copy of the documents claimed by the applicant should be supplied as mentioned in her application dated 25.7.97."

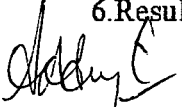
2. According to the petitioner, as per note given under sub-rule II (iii) of Rule 14 of CCS (CCA) Rules, the charged officers are bound to indicate the relevancy of the documents. In the application filed for additional documents, Smt. Kapila had given the relevancy of the documents but did not mention the custodian of the said documents. The request of the applicant in this regard had been rejected.


3. We have heard the counsel for the review applicants.

4. A review would only be permissible if there is any error apparent on the face of the record. If the matter has to be re-argued, the principles of review would not be attracted.

5. We have already reproduced above the relevant part of the order. It clearly recites that the documents called for were relevant and therefore, should have been supplied to give fair opportunity to the applicant. In the present case, the plea of the applicants must fail. Once it has been held that the documents were relevant for the defence of the applicant, we find little ground to hold that they were not required to be supplied.

6. Resultantly, the review application must fail and is dismissed.

  
( S.A. Singh )  
Member(A)

  
( V.S. Aggarwal )  
Chairman.

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