

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

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R.A. No.59/2000
IN
O.A. No.1204/1999

New Delhi, the 29th February, 2000

Anant Ram Singh ...Applicant

Versus

U.O.I. and Another Respondents

O R D E R (By Circulation)

HON'BLE DR. A. VEDAVALLI, MEMBER(J)

Perused the R.A.

2. The review applicant in para 3 of the RA contends that M.A. No.2604/1999 which is part and parcel of the pleadings was neither listed nor heard and is lying with the Tribunal for disposal. This, according to him, is an error of law in the impugned order of this Tribunal dated 31.1.2000 in the above O.A.

3. It is seen from the record of proceedings in this case that the reliefs sought in the said M.A. are for grant of interim stay against alleged verbal termination order regarding the review applicant's services by the respondents dated 30.11.1999 and for a direction to release the salary for the concerned period of disengagement. The aforesaid MA which was filed on 1.12.1999 was listed alongwith O.A. on 6.1.2000. Counsel for both the parties were present when the OA was admitted on the said date. There is nothing on record to indicate that the counsel for the applicant has pressed for any hearing of the M.A. or grant of any interim relief at that stage. The said M.A. was listed alongwith the O.A. for hearing

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thereafter and was heard on 11.1.2000, 12.1.2000 and 21.1.2000. The review applicant himself has admitted in the R.A. that the said M.A. is part and parcel of the pleadings. It was heard alongwith the O.A. and was disposed of by the Tribunal by the order dated 31.1.2000. Reference to the said M.A. appears to have been omitted from the cause title of the impugned order due to a typographical error. However, that cannot by itself be capable of being construed as an error of law apparent on the face of the record. Moreover, when the O.A. itself was dismissed with certain directions as contained in the impugned order, the aforesaid M.A. does not survive any longer, having been heard, considered and disposed of by the said order. The aforesaid contention of the review applicant, in the above facts and circumstances, is totally baseless and unsustainable. It is, therefore, rejected.

4. Another error of law, according to the review applicant, as stated in para 4 of the R.A. is that a person who allegedly was junior to him was allowed to be appointed on ad-hoc basis against a Group 'D' vacant post. It is noticed that he has not impleaded any such person in the O.A. nor has he sought any relief against him either in the O.A. or the aforesaid M.A. The review applicant has not filed any rejoinder to the counter filed by the respondents in the O.A. The only relief pressed by him during the hearing of the O.A. has been considered and disposed of by the Tribunal in the impugned order. The above contention of the review applicant is itself very vague

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and untenable in the eye of law and is, therefore, rejected.

5. It is well settled that an order of this Tribunal can be reviewed only on limited grounds as provided under section 22(3)(f) of the Administrative Tribunals Act, 1985 read with Order 47, Rule 1 of the Code of Civil Procedure, 1908. The review applicant has failed to show any error of law apparent on the face of the record or any other ground as enumerated in the aforesaid provisions. In the guise of an R.A., he is only trying to reagitate the matter as if it is an appeal, which is clearly impermissible in law as per the well settled legal position.

6. In view of the above discussion, the R.A. is dismissed.

A. Vedavalli

(Dr. A. Vedavalli)
Member(J)

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