

(8)

Central Administrative Tribunal, Principal Bench

Review Application No.267 of 2000  
(in O.A.No.2539 of 1999)

New Delhi, this the 22nd day of September, 2000

Hon'ble Mr. Justice Ashok Agarwal Chairman  
Hon'ble Mr. V.K. Majotra, Member (Admnv)

M.C. Agarwal, son of Late Shri Mool Chand,  
W.P.509, Village Wazirpur, Ashok Vihar,  
Delhi-52. - Applicant

(Applicant in person)

Versus

1. Union of India Through its Secretary,  
Ministry of Urban Development, Nirman  
Bhawan, New Delhi.
2. Director General of Works, Central Public  
Works Deptt., Nirman Bhawan, New Delhi. - Respondents

O R D E R (Oral)

By Justice Ashok Agarwal, Chairman.-


By present review application the applicant seeks review of our order passed on 24th May, 2000 in OA 2539 of 1996.

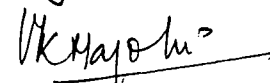
2. The facts leading to the filing of the application are as under-

Disciplinary proceedings were initiated against the applicant by issue of a charge sheet dated 22nd May, 1989 when the applicant was serving as Assistant Engineer Civil. Pending disciplinary proceedings, the applicant retired on superannuation on 31st May, 1993. By a representation dated 26th March, 1998 the applicant prayed that he should be taken back in service from the date of his retirement on 31st May, 1993 with consequential benefits including promotion as Executive Engineer. By the impugned order passed on 8th May, 1998 he had been informed that under provisions of Rule 9 of the Central Civil Services (Pension) Rules, 1972 disciplinary proceedings which are being continued are legal and justified. He was further informed that

since he had retired from Government service after attaining the age of superannuation there can arise no question for his being reinstated back in service. The applicant in the circumstances had instituted OA No.2539/96 containing various reliefs including the one referred to above, namely, his claim of reinstatement. By the order under review the said relief has been declined and the OA has been dismissed with a direction to the disciplinary authority to conclude the disciplinary proceedings expeditiously and within a period of three months from the date of service of the order.

3. Shri M.C.Agarwal, the applicant herein, who appears in person, by the present RA has practically sought to challenge aforesaid order passed by us on 24th May, 2000 by contending that he was entitled to an order of reinstatement in terms of certain decisions which were quoted in the prayer made in the OA. We are afraid this is not the scope and ambit of the review application. We have given our decision on the aforesaid issue. The same cannot be challenged before the very same forum in the form of a review application. Remedy, if any, of the applicant lies elsewhere. Present review application, in the circumstances, is dismissed.

  
(Ashok Agarwal)  
Chairman

  
(V.K. Majotra)  
Member (Admnv)