

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA 195/95 in OA 2493/94

New Delhi, this 22nd day of August, 1996

Hon'ble Shri S.R. Adige, Member(A)
Hon'ble Dr. A.Vedavalli, Member(J)

Shri S.M. Gupta
s/o Shri B.P. Gupta
233A, VP Block, Maurya Enclave
Pitampura, Delhi-34 .. Applicant

(By Shri S.K. Bisaria, Advocate)

vs.

Union of India, through

1. Secretary
M/Health & Family Welfare
Nirman Bhavan, New Delhi

2. Medical Superintendent
Safdarjung Hospital
New Delhi

.. Respondents

(By Mrs. Pratima Gupta, Advocate)

ORDER

Hon'ble Shri S.R. Adige

In this review application filed by Shri S.M. Gupta, he seeks review of the judgement dated 23.5.95 in OA 2493/94 - S.M.Gupta Vs. UOI & Ors.

2. Though the right of the respondents to file reply was forfeited by order dated 31.5.96, we have heard the learned counsel for the parties. In the RA, the main ground taken (in para 5) is that the Supreme Court's order dated 22.3.91 in CCP 44/94 arising out of order dated 25.4.89 in WP(Civil) No.879/88 was not within the knowledge of the applicant and hence the Tribunal could not properly be assisted when the OA was heard on 23.5.95.

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3. This ground is factually untrue because it was pursuant to the Supreme Court's order dated 22.3.91 that the applicant filed his representation dated 22.4.91 addressed to the Secretary, Ministry of Health, followed by a reminder dated 24.6.91, copies of which have been taken on record in the RA on 15.1.96, in which Supreme Court's order has been specifically referred to.

4. The applicant cannot therefore disclaim knowledge of the Supreme Court order dated 22.3.91 when OA 2493/94 was heard by the Tribunal on 23.5.95 and make this a ground for review. Manifestly, therefore, the applicant herein is seeking review on the ground which is false and untrue. The RA is, therefore, rejected.

A. Vedavalli
(Dr. A. Vedavalli)
Member(J)

S.R. Adige
(S.R. Adige)
Member(A)

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