

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

RA No.338/94 in
OA No.1649/94

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New Delhi, this the 11th day of October, 1994

Hon'ble Mr. J.P. Sharma, Member(J)

Sh. Bhagwati Prasad
S/o Late Guna Nand Thapliyal
R/o Qr. No. A-153, Type I
Minto Road
New Delhi - 110 002 and
working as Constable in the
Delhi Police at Rajouri Garden Police Station
New Delhi

... Applicant

Vs.

1. Union of India through
Secretary
Ministry of Urban Development & Housing
Nirman Bhawan, Maulana Azad Road
New Delhi - 110 011
2. Directorate of Estates
Nirman Bhawan, Maulana Azad Road
New Delhi - 110 011
3. Sh. A. Bains
Estates Officer
Directorate of Estates
Nirman Bhawan, Maulana Azad Road
New Delhi - 110 011
4. Commissioner of Police
Police Headquarters
Indraprastha Estate
New Delhi - 110 002

... Respondents

ORDER

Hon'ble Shri J.P. Sharma

The review applicant has sought review of the judgement dated 5th September, 1994 by which the original application for a direction to the respondents to regularise quarter No.A-153, Type-I, Minto Road was rejected.

2. By the detailed judgement it has been held that the application is not maintainable particularly in view of the fact that the applicant alongwith the deceased employee, Sh. Guna Nand father of the applicant filed in OA 2030/93 which was also dismissed by the Principal Bench by the order dated 15th December, 93. In that original application also a prayer was made for regularising the accommodation referred to above in favour of the review applicant. This point has been fully discussed in the judgement. In fact the ground taken by the applicant have already been considered in the body of the judgement. A review against the judgement lies either on the discovery of new evidence which was not in the knowledge of the petitioner at the time when the application was filed before the Tribunal or that there is error apparent on the face of the judgement. The main ground in the review application is the Tribunal did not adjudicate upon the issue that Commissioner of Police has framed the standing order no.3/91 and earlier to this Delhi Police Personnel were eligible for consideration of allotment/ regularisation of such quarters from general pool accommodation. This point has also been considered because the allotment in the name of the father was cancelled on 31st October, 1988 with effect from 30th November, 1988 and an eviction order was also passed by the Estate Officer against Sh. Guna Nand father of the applicant on 7.5.91. These points have

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already been taken note of in the earlier OA filed by the applicant's father in OA 2030/93.

3. The other ground is that certain persons have been given regularisation of the quarter from the general pool accommodation. That point too was under consideration in the OA 2030/93 filed by the father of the applicant. No errors apparent on the face of the judgement have been referred to or pointed out. No case for review of the judgement is made out. The review application is therefore dismissed as by circulation.

(J.P. Sharma)
Member (J)

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