

Central Administrative Tribunal  
Principal Bench: New Delhi

RA No. 285/97 in OA No. 2578/96

New Delhi, this the 21<sup>st</sup> day of January, 1998

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Hon'ble Dr. Jose P. Verghese, Vice-Chairman (J)  
Hon'ble Shri S. P. Biswas, Member (A)

Smt. Ladwati, Mazdoor (Civilian),  
widow of late Shri Om Singh,  
r/o c/o Shri Churamani,  
village Mewati-ka-Nagla,  
post Maholi, Distt., Mathura (UP).

....Review Applicants  
(By Advocate: Shri D.N. Sharma)

Vs.

Union of India through

1. The Secretary,  
Ministry of Defence,  
South Block, New Delhi.
2. The Quarter Master General,  
Quarter Master General's Branch,  
Army HQs., DHQ Post Office,  
New Delhi.
3. The Commandant,  
3, Reserve Petroleum Depot,  
A.S.C. Mathura.
4. The Commandant,  
509, EME, Army Base Workshop,  
Agra Cantt.

...Respondents

(By Advocate: None)

O R D E R (By circulation)

Dr. Jose P. Verghese, Vice-Chairman (J)-

This RA has been filed against our order dated  
3rd October, 1997 by which we had disposed of the OA as  
well as MA for restoration of the OA which was dismissed on  
default directing the respondents to pass appropriate  
orders removing the irregularity that has occasioned in  
passing the order.

Petitioner had earlier filed an OA vide OA No. 1419/96 for the same purpose and by an order dated 10th July, 1996 appeal at the instance of the Director General Supply & Transport, New Delhi was directed to be disposed of. Accordingly, the said authority disposed of the appeal and the present OA was filed against the said order.

Our order dated 3rd October, 1997 was passed perusing the said appellate order which we find was passed by a competent authority yet there was a defect in the first order and accordingly liberty was given to the respondents to pass the appropriate orders. In any event the appellate order being in order, the relief claimed could not be granted to the petitioner.

Review applicant has also stated that this court has passed the order without proper file presented to it. On perusal, we find that this OA was dismissed on default and a restoration application was filed by the counsel and as per practice restoration applications are heard alongwith the OA and the said applicants are allowed if there is any merit in the OA itself. Accordingly, both the OA as well as MA for restoration was listed and disposed of by our order dated 3.10.1997. As such the ground raised in this regard in this review petition is without any basis. We have looked at our order all over again and we find that we are unable to interfere with the appellate order and that being a speaking order by which the government has proceeded to recover the wrongly paid medical reimbursement of Rs.10,749/- allegedly made on the basis of fake claims and thereby cheating the government willfully. After chargesheet, an enquiry was held and culminated in this appellate order and we do not find any

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good reason to interfere with such an order. This Review Petition is accordingly dismissed. There shall be no order as to costs.

  
(S.P. Biswas)  
Member (A)

  
(Dr. Jose P. Verghese)  
Vice-Chairman (J)

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(B.A.)