

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

...
RA.No.44 of 1997
in
OA No.966 of 1996

New Delhi this 6th day of May, 1997.

HON'BLE MRS LAKSHMI SWAMINATHAN, MEMBER(J)
HON'BLE MR R. K. AHOOJA, MEMBER(A)

The Staff Selection Commission
(Northern Region)
Block No.12, C.G.O. Complex
Lodi Road
NEW DELHI 110 003.

... Review Applicant

By Advocate: Mr E. X. Joseph

versus

1. Balihar Singh
S/o Shri Jugraj Singh
R/o M-366 Guru Harkishan Nagar
Paschim Vihar
NEW DELHI. .. Original applicant
(Respondent No.1 in the RA)

2. The Deputy Commissioner of Police
(HQ-I), Police Headquarters
M.S.O. Building
I. P. Estate
NEW DELHI 110 002... Respondent No.2 in the
RA (Respondent No.2 in
the OA.)

By Advocate: Mrs Meera Chhibber

O R D E R (Oral)

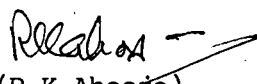
Mrs Lakshmi Swaminathan, M(J)

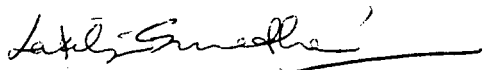
The judgment and order of the Tribunal dated 26.9.96 has been passed on the basis of the submissions made by the learned counsel for the respondents that a later date should be fixed to enable the applicant to appear in Physical Endurance Test/Vision Test. We have been informed by the learned counsel that in compliance with

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this order the applicant has been re-tested and found fit on 9.1.1997. Shri E.X. Joseph, learned counsel, has submitted that the above submissions were made by him to the Court on 26.9.96, based on the reply submitted by the respondents and as briefed by the concerned Under Secretary of the Department. In the Review Application, the applicant (SSC) has submitted that later, on enquiry and search of the relevant records, they find that no such decision had been taken to give a further Vision Test to the applicant. The learned counsel has frankly submitted that this case may not be cited as a precedent in other cases as it will open up a large number of similar applications for re-test.

2. From the above it is clear that the impugned judgement has already been implemented on the basis of the facts and submissions made in the case. The same may not be applicable in other cases as it is settled law that each case has to be decided taking into account the facts and circumstances. Therefore, in the particular facts and circumstances of the case, we find no merit in the Review Application and it is accordingly dismissed.


(R.K. Ahooja)
Member (A)


(Mrs Lakshmi Swaminathan)
Member (J)