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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

RA 193/98 in OA 948/97

New Delhi, this the 15th day of January, 1999

HON'BLE SHRI T.N. BHAT, MEMBER (J)
HON'BLE SHRI S.P. BISWAS, MEMBER (A)

In the matter of:

R.C. Gupta,
1534 Dina Nath Building,
Chandrawal Road,
Old Subzi Mandi,
Delhi- 110 007.

...Review applicant

(By Advocate: Shri K.B.S. Rajan)

Vs.

Union of India through:

1. The Secretary,
Department of Defence Production,
South Block,
New Delhi.
2. The Director General,
Electrical & Mechanical Engineering Dte.
M.G.O's Branch, D.H.Q.,
PO New Delhi- 110 011.

....Respondents

(By Advocate: None)

O R D E R (By Circulation)

delivered by Hon'ble Shri T.N. Bhat, Member (J)

The applicant had filed OA No. 948/97 assailing the order dated 3.11.1995 passed by the Commandant, 509, Army Base Workshop, Agra Cantonment as also the appellate order dated 14.12.1995 passed by the Director General, EME. By the former order the punishment of compulsory retirement with full terminal benefits had been awarded to the review applicant and by the appellate order his appeal was rejected.

Signature
1.1.99.

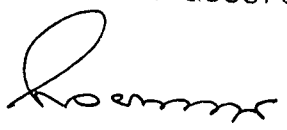
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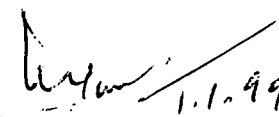
The aforesaid OA was dismissed by us by our judgement dated 14.8.1998. It was found on facts that the enquiry officer and the disciplinary authority had validly recorded findings against the review applicant and were perfectly justified in holding that the charges were established against him.

The applicant in the OA now seeks to re-agitate the matter by way of review application and has taken a plea that some submissions taken in the OA have not been referred to in the judgement nor any finding given thereon. It is further stated that the counsel for the applicant had made some submissions during the course of hearing and had highlighted certain points for our consideration. However, we do not find any error apparant on the face of the record which alone could warrant exercise of our powers of review.

We are convinced that the points agitated in the review application are on the merits of the OA and can more appropriatly be taken in the appeal/writ petition that the applicant may file against our judgement, if so advised. So far as review is concerned, we find no grounds for review of the judgement.

We accordingly reject the R.A., by circulation.


(S.P. Bhat)
Member (A)


1.1.99.
(T.N. Bhat)
Member (J)