

(21)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

R.A. No. 160/96  
C.C.P. (Civil) 112/96  
O.A. No. 1670/95

New Delhi this the 31<sup>st</sup> Day of December, 1996

**Hon'ble Mr. A.V. Haridasan, Vice Chairman (J)**  
**Hon'ble Mr. R.K. Ahooja, Member (A)**

Vikram Singh  
S/o Shri Budhai Dass  
Peon/Jamadar  
R/o Or. No. 179/C-4  
Basant Lane,  
Railway Colony,  
Paharganj,  
New Delhi.

Petitioner

(In Person)

Versus

1. Vineet Kumar Jain,  
General Secretary,  
I.C.R.A., N. Rly,  
New Delhi.
2. Vijay Kumar Aggarwal,  
General Manager,  
Northern Railway,  
Baroda House,  
New Delhi.
3. Gianandra Kumar Khare,  
Chairman,  
Railway Board,  
Rail Bhawan,  
New Delhi.

Respondents

O R D E R (By Circulation)

**Hon'ble Mr. A.V. Haridasan, Vice Chairman (J)**

This Review Application has been filed by the applicant in the Original Application and petitioner in CCP (Civil) No. 112/96 seeking a review of the Order passed by the Bench on July 4, 1994 in the Contempt Petition. The O.A. was disposed of by Order dated February 1, 1996 with a direction to Respondents 2 & 3 to consider each of the issues involved in the case with a

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detailed speaking and reasoned order within three months from the date of receipt of a copy of the Judgement and that if as a consequent of such consideration the respondents concluded that administrative exigencies could be served by transferring the petitioner to any of the offices mentioned in the O.A. within Delhi itself they would modify the transfer order accordingly and the respondents would also determine how the period during 28.3.1995 till date of the orders would be treated. Alleging wilful defiance in complying with the direction contained in the order, the petitioner filed the Contempt Petition. The respondents contended that they had complied with the directions contained in the order and that the speaking order passed though sent to the petitioner was refused to be accepted by him. A copy of the speaking order passed by the respondents was also made available for the perusal of the Bench at the hearing of the Contempt Petition. The speaking order produced by the respondents for the perusal of the Bench disclosed that the issues involved had been discussed and a decision was taken. Finding that the respondents had substantially complied with the order and if the petitioner was not satisfied by the decision taken by the respondents, his remedy was to seek appropriate relief in accordance with law, the Bench dismissed the Contempt Petition holding that it was no more necessary to proceed in the Contempt Petition. The petitioner, it appears is not satisfied with this order passed in the Contempt Petition. Therefore, he has filed the Review Application. Though

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the petition contains 18 pages scanning through the same, we do not find that any ground is made out for review of the Order. There is no error apparent on the face of the record nor is there any other relevant fact or circumstances which warrants a review. The repetition in the petition that the Order is erroneous on the face of record would not make the order erroneous. The Review applicant has made certain averments for which in the normal course action under the Contempt of Courts Act may be initiated against him. The averments in the petition in page 3 :-

"That the observation of the Hon'ble Tribunal while passing the order imputed is arbitrary, fanciful and oppressive and the same is far from the principles of reasonableness, right, just and fair. A Tribunal or a person to whom judicial or quasi-judicial functions are entrusted is thus presumed to have an obligation to act with fairness and that is not only the obligation to observe the principles of natural justice but on the contrary, to observe a higher standard of behaviour than the required by the natural justice. The error committed by the Hon'ble Tribunal is also far from the fundamental principles of fair trial."

"It is not the work of Tribunal to favour or to discriminate any aggrieved person who came before the Tribunal with clean hands simply to seek justice".

"The contention of the Hon'ble Tribunal of order (Oral) dated 4.7.1996 is quite absurd, misleading, hallucinatory and discriminatory."

"Therefore, the Justice has been hijacked from the entire judiciary of India and particularly from the Tribunal and specially from the Principal Bench."

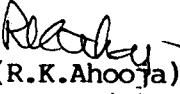
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"Therefore it is a wilful and serious committed by the Hon'ble Tribunal which is clearly visible on the face of the record" and

"The certificate issued by the Hon'ble Bench in respect of the respondent No. 1 that he has not be flouted the Statutory rules is wrong and misleading in the judgement that the Hon'ble Bench has perused the pleading is quite hallucinatory".

should normally expose the petitioner to action under the Contempt of Courts Act. We do not think that these were the words of the petitioner who is a peon and who has signed the petition in Hindi and, therefore, we refrain from taking any action against him.

2. However, as there is nothing in the order which needs a review thereof, the Review Application is rejected.

  
(R.K. Ahooja)  
Member (A)

  
(A.V. Haridasan)  
Vice Chairman (J)

\*Mittal\*