

CAT/11

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
NEW DELHI

(152)

R.A. No. 202/96 in OA 2039/95 199
T.A. No.

DATE OF DECISION 16-1-97

Mr Allois Tirkay

Petitioner

Sh.K.C.Mittal

Advocate for the Petitioner(s)

Versus
Union of India & Ors

Respondent

Advocate for the Respondent

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6 The Hon'ble Mrs. Lakshmi Swaminathan, Member (J)

The Hon'ble Mr. _____

1. To be referred to the Reporter or not? *Y*

2. Whether it needs to be circulated to other Benches of the Tribunal? *X*

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)

Member (J)

IN THE CENTRAL-ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

RA 202/96 in OA 2039/95

Dated:- 16-1-1997

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Mr Allois Tirkey s/o Sh. Boda Tirkey
R/O D-900, Netaji Nagar, New Delhi-24

(By Advocate Sh.K.C.Mittal)

... Review applicant

Vs

1. Union of India through
Secretary,
Ministry of Food, Krishi Bhawan,
New Delhi-1
2. The Director of Estate,
Nirman Bhawan, Maulana Azad Road,
New Delhi-1

... Respondents

ORDER (BY CIRCULATION)

This is a Review Application bearing No. 202/96 filed by the applicant being aggrieved by the order dated 12.9.96 in OA 2039/95.

2. One of the main grounds taken by the applicant in the R.A. is that the Tribunal has not considered the first relief claimed by the applicant for compensation of an amount of Rs 96,000/-. He has also submitted that non-appearance of the applicant or his advocate on 12.9.96 is unintentional and bonafide and therefore, the OA deserves to be restored and heard on merits. On this ground, the applicant has prayed that the order dated 12.9.96 be reviewed.
3. In the impugned judgment dated 12.9.96, reference has been made to the relief claimed by the applicant, including his claim for that of Rs 96,000/- as damages, on which decision had also been arrived at considering the provision of Rule 10 of the CAT(Procedure) Rules, 1985 and so the objection is rejected.
4. Regarding the non-appearance of the applicant or his advocate on 12.9.96, that by itself is not a sufficient ground under Order 47 Rule 1, CPC read with Section 22(3)(f)

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of the Administrative Tribunals Act, 1985 to allow the ...

5. For the reasons given above, this R.A. has no merit and it is accordingly dismissed.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

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