

(3)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

RA No. 21/98

IN

OA No. 1154/95

New Delhi: this the 2nd day of May, 2000.

HON'BLE MR. S. R. ADIGE, VICE CHAIRMAN (A).

HON'BLE MR. KULDIP SINGH MEMBER (J)

K.C. Sharma, Works Manager,
High Explosives Factory,
Kirkee,

Pune - 411 003

.....Applicant.

(Applicant in person)

Versus

1. The Chairman & DGDF
Ordnance Factory Board,
(Ministry of Defence),
10A, Auckland Road,
Calcutta - 700 001.

2. Shri R. Jayaraman,
Ex. GM/OF Itarsi,
C/o General Manager,
Cordite Factory,
Aruvankadu - 432 002

....Respondents.

(By Advocate: Shri S.M. Arif).

ORDER

HON. MR. S. R. ADIGE, VC (A)

Heard both sides on RA No. 21/98 seeking review of the Tribunal's order dated 28.11.97 in OA No. 1154/95.

2. In OA No. 1154/95 applicant sought a direction for expunging of adverse remarks for the year 1992-93 and 1993-94 with consequential reliefs.

3. After hearing both parties, the OA was allowed in part, in as much the adverse entries for the year 1993-94 were ordered to be expunged.

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4. In the RA applicant has asserted that the counter to the rejoinder and OA filed by Respondent No. 2 is not maintainable ; that no further pleadings could have been allowed after the counter had been filed by respondents; and that Respondent No. 2 had made certain false submissions in their pleadings.


5. It was open to applicant to have made each of these assertions in his pleadings and during the course of hearing.

6. The scope of an AR is severly limited by Section 22(3)(f) AT Act read with Order 47 Rule 1 CPC.

7. None of the grounds taken in the RA bring it within the scope and ambit of the above. In the guise of an RA applicant has sought to reargue the entire case which is not permissible in law.

8. The RA is rejected.


(KULDIP SINGH)
MEMBER (J)


(S.R. ADIGE)
VICE CHAIRMAN(A)

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