

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

RA.31 of 1998
in
OA.No.495 of 1995

38

New Delhi, this 24th day of May, 1999.

HON'BLE SHRI K. MUTHUKUMAR, MEMBER(A)
HON'BLE SHRI T.N. BHATT, MEMBER(J)

K.L. Kadamb
285 Pocket 'E'
Mayur Vihar Phase-II
Delhi. ... Applicant

By Advocate: Shri K.B.S. Rajan

versus

Union of India, through

1. Secretary
Ministry of Home Affairs
North Block
New Delhi.
2. The Govt. of N.C.T. of Delhi
through the Lt. Governor
Raj Niwas Marg
Delhi.
3. The Registrar of Cooperative Societies
Old Court Building
Parliament Street
New Delhi.
4. Commissioner of Departmental Enquiries
Central Vigilance Commission
Bikaner House
Pandara Road
New Delhi. ... Respondents

By Advocate: Shri Vijay Pandita

O R D E R (ORAL)

HON'BLE SHRI K. MUTHUKUMAR, M(A)

The main reason for seeking a review is in regard to the observation made by the Tribunal in paragraph-16 of order dated 5.12.97 in OA.495/95.

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(39)

2. Learned counsel for applicant submits that while the question of legality and competence of the disciplinary authority or the appellate authority has been settled by the order of the Tribunal, there are several other grounds in the OA which have not been touched upon and the parties had also not been heard on merits when the OA was disposed of.

3. In the reply filed by the respondents to the RA, they have also submitted that they would have no objection if the Tribunal feels fit and proper in the facts and circumstances of the case to give another opportunity to the applicant in the OA to be heard on other grounds.

4. In the facts and circumstances of the case, the RA is allowed and the OA is restored for adjudicating only on the grounds other than the question of competence or the legality of the disciplinary or appellate authority.

5. RA.31/98 is allowed as above. OA.495/95 is restored and the same may be listed in turn.

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

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K. Muthukumar
(K. Muthukumar)
Member (A)

24.5.99.