

OA / TA / TA / CCP No. _____ 19

COUNSEL

RESPONDENT (S)

COUNSEL

Date	Office Report	Orders
		<p>27.3.95</p> <p>RA. 71/95 CA. 288/95</p> <p>RA disposed of by circulation</p> <p>Bent: + 1/2 ca. 5/15/18</p> <p>for + 1/2</p>

(7)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

M.A. 639/95

R.A.NO.71/95 in

O.A.No.288/95

New Delhi, this the 27th day of March, 1995

Hon'ble Shri J.P. Sharma, Member(J)

Hon'ble Shri B.K. Singh, Member(A)

1. Ms. Purnima M. Farida,
Scientist 'B',
T&T Division,
Central Road Research Institute,
Mathura Road, New Delhi.
2. Santosh Jalihal,
Scientist 'B',
T&T Division,
Central Road Research Institute,
Mathura Road, New Delhi.
3. Devesh Tiwari,
Scientist 'B',
PPS Division,
Central Road Research Institute,
Mathura Road, New Delhi.

... Applicants

By Advocate: Shri C.L. Narsimhan

Vs.

1. Council of Scientific & Industrial Research
through Director-General
Council of Scientific & Industrial Research,
Anusandhan Bhavan, Rafi Marg,
New Delhi.
2. The Director,
Central Road Research Institute,
Mathura Road, New Delhi.

... Respondents

ORDER

Hon'ble Shri J.P. Sharma, Member(J)

All the three petitioners have jointly filed this Review application against the order dated 24.1.95 passed in O.A.No.288/95 which has been held to be not maintainable as not making out a prima facie case and is premature.

2. Alongwith this Review application, there is a M.A.No. 639/95 for amendment of the original application which appears to have been filed by the Review petitioners on 22.2.95 with a



prayer to the Registry that the said M.A. seeking amendment of the original application be placed before the Bench on 24.2.95.


3. We have considered the grounds taken in the Review application. The averment made in the Review application is that when the application was heard on 17.2.95 on admission, the learned counsel wanted to raise certain more points and wanted to submit his contention by oral submission without any ~~aver-ment~~ in the original application. This oral request was not acceded to and the learned counsel stated that he may file a written submission in that regard. However, the case was reserved for orders on 24.2.95. While the arguments had already been concluded in the case on admission on 17.2.95, the points raised at the time of arguments as well as averred in the application has been fully discussed in the judgement under review. The ground taken for review is that the M.A.639/95 for amending the original application could not be placed before the Bench before delivery of the judgement, for this the Review applicants themselves are at fault. When the judgement was already reserved on 24.2.95, they only requested the Registry to place the matter on 24.2.95 when the judgement was ^{to be} ~~not~~ announced in the open court, the learned counsel for the Review applicants mentioned this fact that he has moved an application. However, since the judgement was ready and was in the process of being pronounced nothing could be done. Moreover, the impugned order only extended the period of probation for 3 or 6 months and that period has expired in March, 1995. Thus we do not find that the proposed amendment could serve any purpose.


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4. The Review application lies only when there is an error apparent on the face of the order. Merely because the applicant could not mention the fact of having moved an application for amendment could not be a ground to review the judgement and change the O.A. itself. First the M.A. for amendment has to be considered and only then the O.A. can be allowed to be amended which is not possible after the judgement has been announced after hearing the learned counsel on 17.2.95 and the date of judgement was declared as 24.2.95. The Review application has, therefore, no basis and the same is dismissed by circulation.


(B.K. SINGH)
MEMBER (A)


(J.P. SHARMA)
MEMBER (J)

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