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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No.20/2002 in OA No.1147/2000

New Delhi, this 21st day of January, 2002

Hon'ble Shri M.P. Singh, Member(A)
Hon'ble Shri Shanker Raju, Member(J)

P.S. Meena

-- Applicants

(By Dr. M.P. Raju, Advocate)

VERSUS

Union of India & Others

-- Respondents

ORDER(in circulation)

By Shri M.P. Singh, Member(A)

This Review Application is filed on behalf of applicants seeking review of our judgement dated 10.12.2001 by which OA No.1147/2000 was allowed and the order dated 27th October, 2000 imposing a penalty of dismissal from service on the applicant was quashed and set aside and the case was remitted back to the respondents to consider imposing any ~~other~~ ⁹ penalty than dismissal or removal from service keeping in view the findings of the Inquiry authority as also the submissions made by the applicant in his representation, by passing a speaking, reasoned and detailed order within a period of four months.

2. Review is sought on the ground that there are errors apparent on the face of record inasmuch as Article I of the charge extracted in para 6 of the judgement dated 10.12.2001 is different from the one as mentioned in enquiry officer's report dated 28.12.95 and that the reliance placed by the review applicant on OA No.1229/2000 dated 13.3.2001 in the case of I.J.Giroh Vs. UOI 2001(2) ATJ 385 in support of applicant's prayer has not been taken care of by this Tribunal.

[Signature]

3. We are unable to agree with the aforesaid contention of the review applicant for the reason that what has been extracted below para 6 of our judgement is the statement of imputation of misconduct or misbehaviour in support of Article of charges framed against the applicant as has been mentioned in Annexure II to charge-memo dated 24.3.1992 and therefore there has been no error on the face of record as alleged by the review applicant. The other contention that the judgement (supra) relied upon by him has not been taken care of by us is liable to rejected for the reason that the same is distinguishable in the sense that the applicant in that case was imposed a minor penalty in August, 1998 for the charge relating to 1989 and this Tribunal had observed that there was legal infirmity on the part of the respondents therein.

4. The various other grounds taken by the review applicant, to our mind, are simply reiteration of the ones advanced by him in the OA which have already been discussed by us in detail in our judgement, before coming to the conclusion that the case be remitted back to the respondents.

5. In this view of the matter, we find no valid reason that would warrant a review of our judgement under Section 22(3)(f) of Administrative Tribunals Act, 1985 read with Order 47, Rule 1 of CPC. In the result, the RA is rejected. No costs.

S. Raju
(Shanker Raju)
Member(J)

mbh
(M.P. Singh)
Member(A)

/gtv/