

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

RA 191/2001
in
OA 821/2000

New Delhi this the 8th day of May, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri Govindan S. Tampi, Member (A)

Arvind Kumar and Others

Review Applicants

VERSUS

Govt. of NCT Delhi and Anr.

Respondents

O R D E R (By Circulation)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J))

Review Application (RA 191/2001) has been filed by the applicants in OA 821/2000 praying for re-call of the Tribunal's order dated 28.3.2001 and to restore the OA for hearing.

2. We have carefully perused the grounds taken in the R.A. In Paragraph 5 of the RA, the applicants themselves have stated that "the application was dismissed partly for default, none having appeared for the applicants and partly on merits on the ground that none of the reliefs prayed for by the applicants survived..." In the R.A., the reasons have been given as to why the applicants counsel could not be present when the case was listed for final hearing and disposed of by an oral order dated 28.3.2001. Even if the ground taken by the applicant's counsel for not being present on that date is accepted, it is relevant to

mention that no grounds as contained under the provisions under Order 47, Rule 1, CPC read with Section 22(3)(f) of the Administrative Tribunals Act, 1985, have been taken in the RA. The applicants themselves have stated that the case had been dismissed on merits also. Therefore, in the absence of any error apparent on the face of the record or sufficient reasons as provided under these provisions which are applicable to R.A., RA cannot be allowed. It is settled law that the same issues which have already been dealt with in the Tribunal's order dated 28.3.2001 cannot be re-agitated in the Review Application as if it is an appeal.

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3. For the reasons given above, RA 191/2001 is rejected.

(Govindan S. Tampi)
Member(A)

(Smt. Lakshmi Swaminathan)
Vice Chairman(J)

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