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Dated 6th Sept. 1993

R.A.164/93
in OA 529/93

Shri J.S.Rana

Applicant.

Vs.

Union of India & Ors.

Respondents.

ORDER

O.A.529/93 filed by the applicant, challenging the impugned order dated 12-2-93 posting the applicant as Labour Enforcement Officer, Calicut was disposed of by us by the judgement dated 23-3-93 permitting the applicant to file a representation and directing that the impugned order shall be kept in abeyance till the representation was disposed of. The applicant has filed this application seeking a review of that. He has also filed MP 1648/93 seeking to supplement the Review Application with additional facts which came to his knowledge later on.


2. We have seen the Review Application and the M.P. Though the applicant has requested for a personal hearing, we are satisfied that it is not necessary and the Review Application can be disposed of by circulation under Rule 17(iii) of the CAT (Procedure) Rules, 1987 and we proceed to do so.

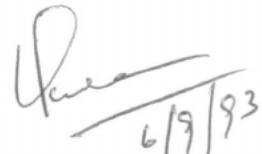
3. The main thrust of the Review Application is that the respondents have suppressed facts and thus misled the Tribunal to believe that the grievance of the applicant is only in respect of transfer, whereas the real grievance of the applicant was that, though he was suspended while working as the Liaison Officer of the Union Territory of Lakshadweep at Delhi, he was not reinstated on that post when the suspension was revoked. Instead he was transferred

to Calicut.

4. We notice that this matter has been adequately dealt with by us in para 24 of our judgement. Further, it is seen from para 2 of the M.P. filed by the applicant that he himself has mentioned the names of 11 persons who held the post of Liaison Officer during the period the applicant remained under suspension from 1987 to 1993. We have, therefore, held that the applicant did not have a case that a vacancy was available at Delhi and yet he was transferred to Calicut to cause him harm.

5. In the circumstances we find that neither any error apparently on record has been pointed out nor any new fact has been brought to our notice calling for a review of the original judgement. The ground raised in the Review Application and the M.P. are more germane for an appeal against our judgement and not for review. Hence, both the M.P. and the Review Application are dismissed.


(B.S. HEGDE)
Member (J).


6/9/93
(N.V. KRISHNAN)
Vice Chairman(A)