

Central Administrative Tribunal
Principal Bench, New Delhi.

R.A.164/94
D.A.No.1767/1993

Y
V

New Delhi, This the 8th Day of August 1994

Hon'ble Shri P.T.Thiruvengadam, Member (A)

Smt. Shamim Bano
Widow of Late Mohd Zahir,
Ex-Driver under Pharmacopial Laboratory
for Indian Medicines, CGO Complex
Ghaziabad.

...Applicant

By Shri B S Maine, Advocate

Versus

Union of India: Through

1. The Secretary
Min of Health & Family Welfare
Nirman Bhavan, New Delhi.

2. The Director
Pharmacopial Laboratory for Indian
Medicines, CGO Complex,
Ghaziabad

...Respondents

By Shri S Chandrasekar proxy for
Shri M M Sudan, Advocate

O R D E R (Oral)

Hon'ble Shri P.T.Thiruvengadam, Member (A)

1. None present for the applicant. The review application has been filed for reviewing the order passed on 3.3.94.

2. The main ground for review is that some of the ~~citations~~ quoted by the petitioner's counsel during the course of the arguments had escaped notice at the time of passing the orders and as such the judgement merits to be reviewed. The same facts have now been stated again in the review petition. However, I note that these ~~quoted~~ ~~citations~~ have been specifically gone into in para 3 of the order passed on 3.3.94. Hence there is no reason for re-considering the order already passed. With regard to compassionate

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appointment the Hon'ble Supreme Court has laid down further guidelines in LIC Versus Mrs Asha Ramachandara Ambakar and others decided on 28.2.94 reported in JT 1994(2)SC 193 and In Umesh Nagpal Versus State of Haryana and others decided on May 1994 and reported in JT 1994(3) SC 525. These guidelines were not available at the time of passing the order on 3.3.94 in this OA. In any case having gone into the citations referred during argument and taking into account the guidelines issued by the Hon'ble Supreme Court and particularly the guidelines given in the decision of the Hon'ble Supreme Court in the case of LIC Versus Mrs Asha Ramachandara Ambakar I do not see any reason for revising the order already passed.

3. The scope for review is rather limited and unless some mistake or error apparent on the face of the record is established a review petition cannot be entertained. Other grounds on which a review could be entertained are equally inapplicable to this case.

4. In the circumstances, the review petition is dismissed. No costs. However, the respondents are at liberty to consider the case of the applicant for compassionate appointment in any other department/office located at Ghaziabad, if they so choose.

P. J. Thiru
(P.T. THIRUVENGADAM)
Member (A)

LCP