



**Central Administrative Tribunal  
Principal Bench, New Delhi**

**R.A. No. 64/2020  
In  
M.A. No. 1511/2020**

**This the 6<sup>th</sup> day of November, 2020**

(Through Video Conferencing)

**Hon'ble Mr. Justice L. Narasimha Reddy, Chairman  
Hon'ble Ms. Aradhana Johri, Member (A)**

Dinesh Chandra Mishra (S/o late Sri G.P. Mishra)  
D-24, Harbhajan Encl, Todapur,  
New Delhi - 12,  
Employed as Sr. Technical Assistant in NBPGR,  
Pusa Campus, New Delhi – 12.

...Review applicant

(Applicant in person)

Versus

1. Indian Council of Agriculture Research,  
Through, the Secretary, DARE & Director General  
ICAR, Min of Agriculture, Room No. 105, Krishi  
Bhavan, New Delhi - 110114.
2. Director, Indian Agriculture Reseach Institute,  
ICAR, New Delhi 12.
3. Dean and Joint Director (Edu.)  
Indian Agriculture research Institute,  
Pusa campus, New Delhi.

...respondents

(By Advocate: Mr. Rishi Kant Singh)



## **ORDER (ORAL)**

**Mr. Justice L. Narasimha Reddy, Chairman :-**

**MA No. 1511/2020**

The present application has been filed for condonation of delay in filing the Review application. In view of the facts and circumstances and the reasons mentioned therein the, MA is ordered and the delay is condoned.

**R.A. No. 64/2020**

The applicant filed OA No. 2435/2018 regarding his admission into Ph.D programme. The OA was dismissed by a detailed order dated 14.02.2019. Aggrieved by that, the applicant filed W.P. (C) No. 6581/2019 before the Hon'ble High Court of Delhi. That was dismissed on 03.07.2019. There upon the applicant filed SLP (C) by diary No. 45751/2019. The Hon'ble Supreme Court permitted the applicant to seek amendment of the OA as regards the facility of addition of 5 marks. Stating to be in compliance with the same, the applicant filed the present review petition.

2. We heard the applicant who argued his case in person and Mr. Rishi Kant Singh, learned counsel for the respondents.



3. The claim of the applicant for admission into Ph.D was dealt with extensively by this Tribunal, through a detailed order on 14.02.2019. Every aspect argued by the applicant was discussed. Feeling aggrieved by that order, the applicant filed Writ Petition before the Hon'ble High Court of Delhi and that was also dismissed. In the SLP filed by the applicant, the Hon'ble Supreme Court passed the following order:-

“Delay condoned.

We find that the question regarding the petitioner's entitlement to weightage of 5 marks for determining his eligibility could not be decided because the High Court rightly did not find any such averment in the original application. Since the question is of importance to the petitioner's case, we consider it appropriate to permit the petitioner to approach the Tribunal by suitably amending his pleadings and raising the said issue. The Tribunal may decide the case as expeditiously as possible.

The special leave petition is disposed of in above terms.

We express our gratitude for the valuable assistance given by Shri Ranjit Kumar, learned Amicus Curiae to assist us in the matter.

Pending application stand disposed of.”

4. The facility given to the applicant was to seek amendment of pleadings raising issue pertaining to addition of 5 marks. Instead, the applicant filed this RA running into 18 pages devoting much of it to find



fault with the orders passed by this Tribunal. The prayer in the RA, reads as under:-

- (a) Quash and set aside the impugned final order and judgment dated 14.02.19 passed by Hon'ble CAT in OA 2435/18.
- (b) May please be review the order and final judgment of OA 2435/18 passed, viewing the error defined.
- (c) Direction may be preferred to give grace marks a short cut way to resolve this issue, instead of passing direction to re-evaluate.”

5. Not a word is said about the amendment of the OA. We do not find any merit in the Review Application. It is accordingly dismissed. There shall be no order as to costs.

**(Aradhana Johri)**  
**Member (A)**

**(Justice L. Narasimha Reddy)**  
**Chairman**

pj/rk/ankit/sd