

Central Administrative Tribunal
Principal Bench, New Delhi

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Regn. No. RA-122/88 in
OA-701/87

Date: 7.4.1989.

Shri Joginder Singh Sehgal Applicant

Versus

Union of India & Ors. Respondents
For the Applicant Shri B.B. Rana, Advocate
For the Respondents Shri K.C. Mittal, Advocate.

O R D E R

The review petition has been filed by the original applicant in OA-701/87 praying that (i) this Tribunal may await the findings of the Central Vigilance Commission on the Departmental Inquiry referred to in the Petition and deliver a considered judgement based on the findings therein and that (2) the judgement dated 14.7.1988 may be held in abeyance till then. The M.P. 1995/88 filed by him contains the prayer that the Tribunal may condone the delay in filing the review petition.

2. In OA-701 of 1987, the applicant had contended that his date of birth was 14.7.1929 and not 14.7.1927 as contended by the respondents. By our judgement dated 14.7.1988, we held that the correct date of birth of the applicant was 14.7.1927. As regards the tampering of the records, we refrained from going into that question in view of the on-going inquiry against the applicant in the same matter.

3. In the present petition, the petitioner has stated that the departmental enquiry conducted through the agency of C.D.I. (C.V.C.) is yet not complete, that it should have been better for the Tribunal to wait for the report

of the C.V.C. inquiry before delivering the judgement and that if the C.V.C. were to honourably acquit him of the charge levelled against him, that would create not only an error apparent on the face of the record but also would create a legal impasse.

4. We have carefully considered the grounds raised in the petition, and the records of the case and have heard the learned counsel of both the parties. In our opinion, there is no error apparent on the face of the record warranting a review of the judgement dated 15.7.1988. The petitioner has also not brought to our notice any new facts justifying such a review. The petition is, therefore, rejected. There will be no order as to costs.

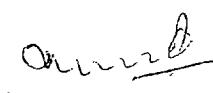
5. Incidentally, we have noticed that in the sixth sentence of para.11 at page 8 of our judgement, a typographical error ~~has been made~~ which needs to be corrected. That sentence reads as follows:-

".....The respondents have relied upon the letter dated 12.2.1987 from the Registrar, Punjab University, confirming that the applicant passed his matriculation examination from Government Intermediate College, Jhang in 1943 with Roll No.15200 and that his date of birth was 14.7.1929."

Instead of mentioning 14.7.1927, it has wrongly been mentioned as 14.7.1929. We hereby correct the said typographical error and the sentence should read as follows:-

".....The respondents have relied upon the letter dated 12.2.1987 from the Registrar, Punjab University, confirming that the applicant passed his matriculation examination from Government Intermediate College, Jhang in 1943 with Roll No.15200 and that his date of birth was 14.7.1927".


(Ajay Johri)
Administrative Member


(P.K. Kartha)
Vice-Chairman (Judl.)