

9

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

11.10.88

RA 61/88
OA 235/88

Shri A.D.Kalra & Ors Applicants
Vs.

Union of India Respondents

Coram: Hon'ble Mr. Justice K.S. Puttaswamy, Vice Chairman
Hon'ble Mr. Naushal Kumar, Member

For the Applicants Shri T.C. Aggarwal, Counsel

For the Respondents Shri P.H. Ramachandani, Sr.
Counsel.

In this application made under Section 22(3)(f) of the Administrative Tribunals Act, 1985 (Act) the applicants have sought for review of our order made on 11.5.1988 dismissing their Original Application 235/88 (Annexure A-1).

2. In OA 235/88 the applicants who were working in the Audit and Accounts Department of the Government of India had claimed the benefits extended by this Tribunal to one Sri B.C. Bajaj which were resisted by the respondents, inter alia, on the plea of jurisdiction and limitation.

3. On an examination of the rival contentions urged before us, we upheld the preliminary objection urged by the Respondents to the effect that the matter was concluded prior to 1.11.1982 and the same cannot be adjudicated by this Tribunal under the Act, relying on the rulings referred to in our order.

4. Shri T.C. Aggarwal, learned counsel for the applicants contends that our order upholding the preliminary objection of the respondents suffers from an apparent error on the face of record and justifies a review under Section 22(3)(f) of the Act read with


Order 47 Rule 1, C.P.C. In support of his contention Shri Aggarwal relies on a number of rulings of the Supreme Court and this Tribunal.


5. Shri B.H. Ramchandani, learned counsel for the respondents, contends that the order made by us does not suffer from an apparent error on the face of record and does not justify a review under Section 22(3)(f) of the Act read with Order 47 Rule 1, C.P.C.

6. On an examination of the preliminary objection urged by the respondents and the rulings placed before us on the point we have held that the matter against the applicants stood concluded prior to 1.11.1982 and the same cannot be adjudicated by this Tribunal under the Act. We will even assume that we were wrong in reaching our said conclusion. But that conclusion cannot be examined by us as if we are a Court of appeal and a different conclusion reached by us in a review. On this view we cannot review our orders.

7. We have perused our order carefully. We are of the view that our order does not suffer from an apparent error on the face of record to justify a review.

8. On the foregoing discussion we reject this Review Application. But in the circumstances of the case, we direct the parties to bear their own costs.


(KAUSHAL KUMAR)
MEMBER.


(K.S. PUTTASWAMY)
VICE CHAIRMAN.