

Central Administrative Tribunal
Principal Bench, New Delhi.

No. RA 139 of 1989 in OA 418 of 1989.

Date of decision: 23.1.1990

Shri R.N. Chopra,

Applicant

Vs.

Union of India

Respondents

A review application has been filed in CCP 119/89 in OA 418 of 1989 on the grounds that the applicant was not informed of the date of hearing of the CCP and being a Government servant, it was not possible to attend the Tribunal everyday. In the order dated 17.8.89, the Tribunal dismissed the CCP in default on the ground that the applicant was not present to pursue his case and that it was apparent that he was not interested in pursuing this matter. According to the applicant, he received the order on 8.9.89, 23 days after the issue of the final orders of the Tribunal. The CCP was filed for non-implementation of the orders passed by the Tribunal in the Original Application on 4.4.89. In that order the following observations were made:

"The applicant has made a representation to the Chief Personnel Officer regarding adverse entries in his Confidential Report on 9.1.1989. He has not received any reply. He has not been communicated any adverse entries. It is, therefore, premature to entertain the application at this stage. The respondents No. 2, Chief Personnel Officer, Northern Railway, New Delhi, is directed to dispose of the representation dated 9.1.1989 within a period of three months from the date of receipt of the order. The applicant will be at liberty to come back to the Tribunal if any cause of action remains."

The application is disposed of accordingly."

Instead of communicating the adverse entries and to dispose of the representation within a period of three months, the respondents communicated the adverse entries in the ACR on 10.5.89. In any case, as the adverse entries have been communicated to the applicant, no CCP will lie at this stage and there is no reason to accept the review application. As was directed in the orders dated 4.4.89 in the original application, the applicant is at liberty to move the Tribunal if he feels that any cause of action remains. If he has any grievance against the orders of the respondents, he should file

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a fresh application. With these observations, the review application is disposed of.

B. C. Mathur
(B.C. Mathur) 23/2/80
Vice-Chairman