

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

RA-54/91 IN OA-223/89  
SHRI M.L. MALHOTRA

DATE OF DECISION 29.5.91  
...APPLICANT

VERSUS

UNION OF INDIA

...RESPONDENTS

CORAM:

THE HON'BLE MR. JUSTICE AMITAV BANERJI, CHAIRMAN

THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

FOR THE APPLICANT

SHRI T.C. AGGARWAL,

COUNSEL

Review Application No.54/91 in OA-223/89 has been filed by the applicants, seeking review of the judgement delivered on 6.3.1991. The review has been sought on the ground that the Tribunal has not taken into consideration certain judgements delivered by the Tribunal earlier and that in terms of A.R. Antulay v. R.S. Naik and that AIR 1988 SC 1531, the Tribunal is competent to re-examine the matter *suo motu*.

We have considered the matter carefully. In a recent judgement delivered in RA-155/90 in OA-219/89 dated 24.4.1991 this Bench has at length discussed the doctrine of *per incuriam* and has held that the doctrine is applicable to only in situations specified in that order. "Non following of certain decisions of the Tribunal does not come in the purview of power to review." The Review Application is accordingly rejected.

  
(I.K. RASGOTRA)

MEMBER (A)



(AMITAV BANERJI)

CHAIRMAN