CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, DELHI.

No. R.A. 78 of 1989 in OA 285 of 1989

Date of decision: 13.7.89

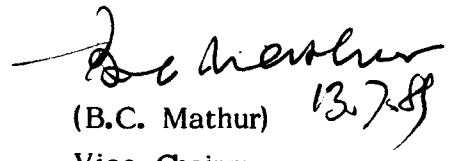Shri G.S. Shukla and Shri P.K. Shukla   Applicants.

Review application No. 78/89 in OA 285 has been filed by the applicant against the inter-locutary orders passed by the Tribunal on 4.7.89 on the ground that there has been an apparent error on the face of the record and because the written statement was tendered in the court by the counsel for the respondents, Shri Sikka, and it was filed in the registry. after due service to the counsel for the applicant and as the request of the applicant to club the present original application with the original application No. 1036 of 1989 transferring the applicant out of Delhi was rejected. The case of the applicant is that both the cases are inter-related and should be heard together. It has also been stated in the review application that the railway authorities have chosen not to produce one Shri Bhagat as witness to secure his statement and they have also not produced complete records of cases of Shri L.K. Khanna and Shri Dharam Dev who were identically situated with that of the applicant No.2 in the present O.A.

2.   There is no apparent error of facts or law. The first objection regarding filing of the written statement is only technical. A written statement was tendered by the counsel for the respondents and a copy handed over to the counsel for the applicant. It is immaterial whether it was filed in the court or in the registry. The filing of the statement was done with the permission of the court. In the order dated 4th July, it has been made clear that the original application will be decided on merits and if the railway authorities have not produced Shri Bhagat or any records, those facts will be taken into consideration

while passing final orders in this case which are still to be passed.
In the circumstances, there is no merit in the review application
which is rejected.

(B.C. Mathur)   13.7.89
Vice-Chairman