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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

RA No.63/94 in OA No.73/90
NEW DELHI THIS THE 3rd DAY OF MARCH, 1994.
HON'BLE MR.JUSTICE S.K.DHAON, VICE-CHAIRMAN(J)
HON'BLE MR.P.T.THIRUVENGADAM, MEMBER(A)

Shri Om
S/o Shri Baboo Ram
Ex.E.D.M.P.
Sherpur Balla
Tehsil Dhampur,
Distt. Bijnor

Applicant

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vs.

1.The Secretary Posts,
Ministry Ministry of Communication,
Govt.of India,
Dak Bhawan,
New Delhi-110001.

2.The Superintendent
Post Offices, Bijnor

3.The Asstt.Suptd.
Post Offices(Headquarters)
Office of the Supdt., Posts
Bijnor

Respondents

ORDER(IN CIRCULATION)

JUSTICE S.K.DHAON:

This is an application praying that the order passed by us on 29.10.1993 disposing of OA No.73/90 on merits may be reviewed.

2. One of the allegations made in the review application is that neither the applicant nor his counsel had due notice of the fact that the original application would come up for hearing on 29.10.1993. It is stated that his counsel as well as he are residing outside Delhi.

3. One Shri A.S.Saxena figured as the counsel for the applicant. In the cause list dated 29.10.1993 his name was duly shown. The case was called out in the revised list. There is no indication in the record that Shri Saxena ever informed the registry that the notice of the hearing of the original application should be sent to him as he is residing outside Delhi. Shri Saxena appeared on behalf of the applicant on 16.2.90 and 23.3.90. On 11.5.1990, 28.5.1990, 17.7.1990, 21.8.1990, 27.8.1990, 22.10.1990,

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29.10.93 and 31.1.1992 this OA was listed either a Bench of before/ the Tribunal or before the Deputy Registrar for completion of the pleadings. On none of the said dates neither the applicant nor his counsel appeared. Upon an application made by the applicant, Hon'ble the Chairman on, 31.1.1992 expedited the hearing of the original application and passed an order which materially is : " Post for final hearing in October, 1992." Even on 31.1.1992 no one appeared on behalf of the applicant.

the conduct of the applicant shows that he was not interested in prosecuting the original application. Since the hearing of the original application was expedited by Hon'ble the Chairman, we thought it just and proper to dispose of the same after going through the records ourselves.

5. The other contention advanced is that, even in the absence of the judgement of the Supreme Court in Mohd. Ramzan Khan's case, the applicant was entitled to be given a copy of the inquiry officer's report by the disciplinary authority before it (the disciplinary authority) passed an order punishing him (the applicant).

6. We have gone through the contents of the review application and we find that it cannot be said that we committed any error much less an error apparent on the face of the record. The application is dismissed summarily.

(P.T. THIRUVENGADAM)
MEMBER(A)
SNS

(S.K. DHAON)
VICE-CHAIRMAN(J)