

(XX)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH  
NEW DELHI.

R. A. 145/94 in CCP 11/93 in  
O. A. No. 682 of 1990

New Delhi, this the 4<sup>th</sup> day of May, 1994.

HON'BLE MR JUSTICE V.S.MALIMATH, CHAIRMAN.  
HON'BLE MR B.N.DHOUNDIYAL, MEMBER(A)

Khiyali S/O Shri Dumroo,  
last working as Khalasi in the  
O/O P.W.I., Tuglakabad, Northern  
Railway, New Delhi and resident  
of Jhugi No.57, Neela Gumbad,  
Nizamuddin, New Delhi. . . . . Applicant.

vs

General Manager,  
Northern Railway,  
Baroda House, New Delhi. . . . . Respondents.

O R D E R ( by Circulation )  
-----

B. N. DHOUNDIYAL, MEMBER (A)

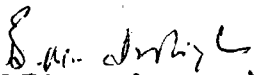
This Review Application has been filed for review of judgment dated 2.4.1993, delivered in CCP No. 11/93 in O.A. No. 682/90. The main ground taken is that the applicant was never asked to produce the certificate given by the Safdarjung Hospital, nor any documentary evidence was produced, to show that Appellate Medical Board was constituted and nor any copy of Medical Report of the Appellate Board was produced before the Court. It has also been averred that this Tribunal relied on verbal submissions made by the learned counsel for the respondents on the ground that "there is no good reason not to accept it".

2. In the judgment dated 2.4.1993, it has been noted that "when the matter came on the last occasion, the petitioner having been present before the Tribunal, it had directed the authorities to take him from the Tribunal premises itself and get him medically examined. That was done and the medical report has been placed for our consideration. The report is dated 31.3.


45

and shows that the petitioner was examined and his vision was found not coming upto the standard for C-1 category." If the applicant had not been examined by the Medical Board, the learned counsel for the petitioner had ample opportunity to bring it to the notice of the Tribunal, during the final hearing of the CCP. The only plea raised by him was that there was a delay in re-instatement.

3. In view of above, no error apparent on the face of the judgment has been brought out and the review application is hereby dismissed.

  
( B. N. Dhoundiyal )

MEMBER ( A )

  
( V. S. Malimath )

CHAIRMAN

/sds/