

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

* * *

13-3-92

(8)

R.A. NO. 70/1992 IN C.A. NO. 1521/1991

SHRI R.D. TYAGI VS. UNION OF INDIA & ORS.

Applicant has preferred the Review Petition under
Section 22(3)(f) of the Administrative Tribunals Act, 1985

against the judgement of the Tribunal (Single Bench)

dt. 6.2.1992 passed in OA 1521/1991. The application

was dismissed on the basis of the pleadings of the
parties as none of the parties appeared on the date of
hearing of the case.

2. In the Review Petition, a new plea has been taken
that the relief of transfer which the applicant prayed
in the OA, stood granted to him departmentally and
he has been transferred to Meerut as prayed. This
fact was not brought on record and so a
error has occurred in the judgement. By the dismissal
of the application, the applicant is likely to be
prejudiced.

3. In view of this fact, the order dt. 6.2.1992 is
reviewed. Since none was present from the side of the
respondents at the time of hearing and the OA is only
deserved to be declared dismissed as infructuous, so the
notice is not being issued to the respondents. Para-4 of

(9)

the judgement is modified to read as follows :

"The application is, therefore, dismissed as having become infructuous on account of the relief in OA of transfer to Meerut having been granted to him by the respondents. No costs."

A copy of this order be annexed with the judgement.

J. P. Sharma,
(J.P. SHARMA) 13.3.72
MEMBER (J)

AKS