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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, DELHI.

R.A. 127/92 in CCP 37/92
in O.A. 2796/1991.

Dated: April 28, 1992.

C.R. Sinha

V/s.

Union of India & Ors.

Review applicant in this R.A. and the petitioner in CCP 37/92, which was disposed of vide order dated 6.3.92, has sought a review of the aforesaid order primarily on the ground that the date of the Gazette, i.e., 23rd November, 1991, cannot be taken as the date of publication, as the same is only the date of printing. The petitioner in the CCP had produced letter dated 19th December, 1991 from the Assistant Controller (Periodicals), Government of India, Department of Publication, to the effect that the Gazette of India Weekly Part-I Section 2, Sub-section X, Issue No.47 dated 23.11.1991 (the concerned Gazette Notification involved in the present case) was made available for public sale on 2.12.1991 as per the records of the Department. He has now produced another letter dated 1.4.92 to the effect that Gazette of India Part I Sec. 2 Issue No.47 dated 23.11.91 was received from the Government of India Press, Faridabad on 2.12.91 and that the same was made available for sale on 2.12.91. The applicant has contended that the Gazette under reference can in no case be taken as having been published on 23.11.1991 and in no case before 2.12.1991. Consequently, it is further argued that the question of publishing the Gazette before that date, i.e., 2nd December, 1991 did not arise and the same was not published upto 1st December, 1991.

2. A perusal of the order dated 6.3.1992, which is sought to be reviewed, clearly shows that the contention of the applicant on this point has been dealt with therein at some length. As such, no error apparent on the face of the record is seen. Further, the letter dated 1.4.1992, now produced along with the R.A., does not

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change the nature of the contention raised earlier in the CCP and which has already been dealt with therein. Accordingly there is no force in this R.A., which is hereby rejected.

(By circulation)



C. Jain
(P.C. JAIN)
MEMBER(A)
28.4.1992.

Hon'ble Chairman.