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In the Central Administrative Tribunal
Principal Bench, New Delhi

Regn. No. RA- 172/93 in
OA-2114/91

Date:

11.6.93

Shri Subhash C. Saini Applicant

Versus

Delhi Admn. & Ors. Respondents

CORAM: Hon'ble Mr. J.P. Sharma, Member (Judl.)
Hon'ble Mr. S.R. Adiga, Administrative Member.

(Judgement by Hon'ble Mr. J.P. Sharma, Member)

The review applicant has sought review of the judgement dated 7.4.1993 by which the relief claimed by the applicant in OA-2114/91 was disallowed and the original application was dismissed as barred by principle of res judicata as well as by limitation and merits.

2. In the review application, it is alleged that there is an error apparent on the face of the judgement. In para.3, the applicant had pointed out certain facts which, according to the review applicant, are not based on factual statements in the pleadings of the parties. We have considered all these matters. The contention of the applicant that he was not taken on deputation, but the matter is clarified in the judgement itself that the appointment as Assistant Superintendent, along with others, from 29th April, 1986 has been out of his selection. This plea, therefore, does not take the applicant anywhere. Regarding the repatriation of the applicant to the parent department because he was not found fit to be retained as Assistant Supdt.(Jail) on 9th January, 1987, is a correct statement though subsequently, he reported to the Supdt.(Jail) on 13th January, 1987. That will not affect the merit of the

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case. In fact, relief has been disallowed to the applicant on the ground that he had earlier assailed the matter in the competent forum and was disallowed the reliefs claimed therein. There is detailed discussion in the judgement in paras 7,8,9 and 10 which meet all the grounds raised by the review applicant.

3. The review application, therefore, is totally devoid of merit and the judgement under review does not call for any review. In view of the provisions of order 47, Rule 1 C.P.C. read with Section 22 (3) (f) of the A.T. Act, 1985, the review application is, therefore, dismissed by circulation.

S.R. Adiga
(S.R. Adiga)
Member(A)

J.P. Sharma
(J.P. Sharma)
Member(J)