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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

R.A.No. 355/92

Date of decision 24/11/92

in

O.A.No.1076/91.

AMIR SINGH

V/s

UNION OF INDIA & OTHERS

O _ R _ D _ E _ R

This Review Application has been filed on 5th November, 1992 against the Order dated 7th November, 1991 in O.A. No. 1076/91. The petitioner has submitted an application for condonation of delay. The grounds are that after the judgement was delivered, the applicant represented to the respondents on 24th February, 1992. Thereafter, he filed a contempt petition dated 14.7.1992 which was dismissed ^{as} and withdrawn on 14.10.1992. The petitioner states that he is 74 years old and the matter relates to pensionary benefits. In view of the aforesaid averment, we condone the delay and proceed to review the petition on merits. Even on merit, we do not find any

20

good ground for review. The applicant had filed a contempt petition against the respondents with reference to the said judgement but the contempt petition was dismissed ^{as} and withdrawn on 14th October, 1992. It has been stated in the Review Petition itself that the Principal Bench wanted the applicant to file affidavit stating the provisions under which the employees of the National Discipline Scheme were entitled to pension. The Court was not satisfied with the affidavit filed by the applicant. The applicant has said that he had represented to the respondents but no reply has been received and, therefore, the applicant is left in the position where he was before the order of the Tribunal.

2. In the said judgement the Bench had directed the respondents to allow pension to the applicant in case employees under National Discipline Scheme were entitled to pension and in case the applicant had completed more than 20 years of service. The respondents had not filed any counter in the said

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case and the right to file the counter was forfeited. Since no rules have yet been produced to show that employees of National Discipline Scheme are entitled to pension, we are not in a position to give any further direction in the matter. The respondents were already directed to allow pension if the entitlement was there according to rules. The review petition is, therefore, dismissed with no order as to costs.

We, however, expect from the respondents that they would give a reasoned ^{reply} ~~reply~~ ^{to} ~~of~~ the representations _{file} to the petitioner.

3. As stated above, the Review Application stands dismissed.

I. P. Gupta
(I.P. Gupta) 23/11/92
Member (A)

Hon'ble Mr. Justice Ram Pal Singh, Vice Chairman (J)

I agree,
Laubh
23.11.92