

(Signature)

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No.60/2005 in OA No.853/2004

New Delhi, this the 30th day of March, 2005

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri S.K. Naik, Member(A)

P.S. Vimal
(in person)

Applicant

versus

Union of India & Others

.. Respondents

ORDER(in circulation)

Shri S.K. Naik

This RA has been filed by the original applicant on 1.3.2005 against the order dated 20.01.2005 by which OA No.853/2004 was dismissed in the following terms:

"15. On overall view, therefore, it is obvious that the applicant had withdrawn the relief that he is claiming in the present application. He had not taken permission of this Tribunal. He, therefore, in this process cannot file a fresh application on the analogy of the principles of Order XXIII Rule 1 of the Code of Civil Procedure.

16. For these reasons, the OA, being without merit, must fail and is dismissed."

2. Review is sought on the ground that there is an error on the face of record. However, we find that all the facts and grounds advanced by the applicant in the aforesaid OA, which are again reiterated in the present RA, have been duly taken care of by us in the aforesaid order/judgement. While dismissing the OA, we have also referred to the decisions of the Supreme Court mentioned therein and therefore we hardly find any error apparent on face of record as alleged by the applicant. We further notice that the facts and circumstances of the judgements of the apex court now relied upon by the applicant in the present RA are distinguishable and would not come to the rescue of the applicant. Resultantly, the RA must fail and is accordingly dismissed in terms of order 47, Rule 1 CPC read with Section 22(3)(f) of the Administrative Tribunals Act, 1985.

S.K.Naik
(S.K. Naik)
Member(A)

V.S. Aggarwal
(V.S. Aggarwal)
Chairman

/gtv/