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**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**R.A. No. 270/2004
in
O.A. NO.1252/2004**

New Delhi, this the 16th day of November, 2004

**HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE SHRI S. A. SINGH, MEMBER (A)**

R.D. Singh,
Professor & Principal,
Scientist, IARI, PUSA,
New Delhi

.....Review Applicant.

VERSUS

1. Union of India through,
Its Secretary,
Department of Agricultural Research & Education,
Krishi Bhawan, New Delhi.
2. The Secretary,
Indian council of Agricultural Research,
Krishi Bhawan, New Delhi.
3. The Chairman,
Agricultural Scientists Recruitment Board,
Krishi Anushandhan Bhawan, New Delhi.
4. Dr. N N Singh,
Occupying the post of Project Director (Maize,
Indian Agricultural Research Institute,
Pusa, New Delhi.

.....Respondents

ORDER (IN CIRCULATION)

BY HON'BLE SHRI S.A. SINGH, MEMBER (A)

In OA 1252/2004 the review applicant had prayed for direction to the respondents for appointment of applicant as Project Director. This OA was dismissed by Tribunal's order dated 12.8.2004 as was found to be without merit.

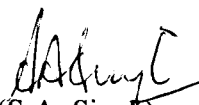
2. Through Review application the applicant is praying for of review of the Tribunal order dated 12.8.2004 on the ground of discovery of new information or documents that were not within the possession of the applicant at the time of arguments despite due


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diligence. The Review applicant has placed on record copy of judgement dated 10.3.2004 of the Bangalore Bench of the Tribunal in OA NO. 12/2004 in the case of K.T. Sampat Vs ICAR and Dr. Khub Singh. The applicant claims that this case is identical and against the same respondent i.e. ICAR. This judgement was challenged by the respondent Dr. Khub Singh and ICAR in the Hon'ble High Court of Karnataka by way of WP No.16852/2004 and WP No.17015/2004 respectively. Both these WPs were disposed of by Hon'ble High Court by a common order directing ICAR to re-consider the recommendations of the ASRB de novo. Consequently ICAR appointed Dr. K T Sampat to the post of Director NIANP, on tenure basis for a period of five years, vide order dated 8.9.2004, copy enclosed as RA-4.

3. In view of the above the Review applicant claims discovery of new information/documents that were not within his possession and wants the Tribunal to recall its earlier order. The judgments of the High Court of Karnataka and that of the Bangalore Bench of CAT were public documents and hence available with due diligence. The order of the appointment issued by ICAR is a subsequent development and cannot be said to be coming within the purview of discovery of new information and new documents.

4. The RA is therefore not maintainable and accordingly dismissed in circulation.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

Patwal/