

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

RA No. 390/93

Date of Order: 22-10-93

In
OA No. 1938/92

Shri Vijendra Pal Singh

.... Petitioner

Vs

Union of India

.... Respondents

Coram:

Hon'ble Shri J.P. Sharma, Member (J)

Hon'ble Shri B.K. Singh, Member (A)

ORDER (By Circulation)

The Original Application was dismissed as barred by time by the Order dated 3.9.1993.

The applicant was engaged as a casual labour in 1976 for 29 days and for 205 days in the year 1977. He was not engaged since then. The case of the respondents was that he abundant the job in the year 1977 and thereafter he never turned up.

In this Review Application the applicant has averred that due consideration was not given to the letter dated 28.1.1988 through which the name of the petitioner was sponsored by the Unit Incharge. In fact the counsel for the applicant was not present on the date when the case was fixed for hearing alongwith the MP No1 1499/93. It is contended in the RA that the petitioner was out of station and also MP could have been dismissed and not the OA. The matter was listed before the Court of Deputy Registrar on 15.4.1993 and it was ordered to be listed before the Court on 5.5.1993. On 5.5.1993 it was ordered to be listed on 28.5.1993 and the counter was filed. On 28.5.1993 the matter could not ^{be} reached, it was adjourned to 3.8.1993. The matter was ordered to be

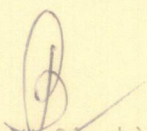
14

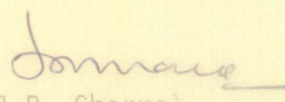
listed for hearing on 3.9.1993. In view of this the OA itself was listed for hearing by virtue of the Order passed by the Bench on 28.5.1993. Thus, the applicant or his counsel cannot have any grievance on that account.

The another ground taken in the review is that the petitioner could gather information regarding certain persons who were initially engaged subsequent to the applicant and have been taken on duty. But these averments in the ground in RA cannot ~~be~~ ^{be} reopened the case. The Review Applicant had ~~been~~ ^{full} knowledge when the OA was fixed for hearing. ^{le}

As regards the non consideration of the letter dated 28.1.1988 which is annexed to the Original Application as (Annexure A III), firstly it is not readable, secondly it does not make out that the applicant has worked after 1976 in any capacity whatsoever. The decision arrived at in the OA is, therefore, on the contentions raised by the respondents, ~~that~~ ^{le}

The judgement does not need any interference. There is no error apparent on the face of the record and the review application is devoid of merit and dismissed by circulation.


(B.N. Singh)
Member (A)


(J.P. Sharma)
Member (J)

Mittal

Mittal