

(9)

CENTRAL ADMINISTRATIVE TRIBUNAL  
Principal Bench, New Delhi.

D.A. 944/93

New Delhi, This the 14th Day of February 1994

Hon'ble Shri P.T. Thiruvengadam, Member(A)

Shri J.P. Gupta  
Post Graduate Teacher (Chemistry)  
Government Boys Sr. Secondary School,  
Kalyanvas- Delhi - 110091.

..Applicant

By Advocate Shri S.K. Shukla

Versus

1. The Chief Secretary  
Delhi Administration  
5, Alipur Road,  
Delhi - 110054.
2. The Director of Education  
Old Secretariat  
Delhi - 110054.
3. The Dy. Director of Education  
Distt. East, Rani Garden  
Delhi - 110051.
4. The Principal  
Gandhi Memorial G.B.S.S. School  
Shahadra, Delhi - 110032.
5. Shri V.K. Bhatnagar  
Post Graduate Teacher (Chemistry)  
Gandhi Memorial G.B.S.S. School  
Shahadra, Delhi - 110032.

...Respondents

By Advocate Mrs Vaena Kalra, Proxy for  
Shri D.N. Guburhan (For Respondents No 1, 2 & 3)

By Advocate Shri B.S. Mainee  
(For Respondent No. 5)

O R D E R (oral)

Hon'ble Shri P.T. Thiruvengadam, Member(A)

1. The learned counsel for the applicant states that the order in OA 2805/92 passed on 11.2.93 (Shri VK Bhatnagar Vs Union of India & others) was based on certain misrepresentations by the applicant therein. This has prejudiced the cause of the applicant in this OA 944/93. On being questioned it was admitted that relief in the present O.A. if granted would amount to changes in the order passed on 11.2.93 in OA 2805/92. In such a case, the remedy lies not in filing a fresh OA as being <sup>attempted</sup> ~~admitted~~ now, but in filing a review petition in the order passed in OA 2805/92.

...2/-

2. The learned counsel for the applicant was apprehensive about the admission of the review petition in view of the time delay. But it is for him to convince the Tribunal the reasons for the delay at the time of filing a review petition.

3. In view of the above, the learned counsel for the applicant wishes to withdraw this OA with liberty to seek appropriate remedy as per legal provisions. Accordingly, this OA is dismissed as withdrawn. No costs.

P. J. 25

(P.T. THIRUVENGADAM)  
Member(A)

LCP