

Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH,
ALLAHABAD.**

REVIEW APPLICATION NO. 44 OF 2005

IN

ORIGINAL APPLICATION NO. ¹³⁶⁶~~1386~~ OF 2004

THIS THE 08th DAY OF February, 2005

HON'BLE MR. D.R. TIWARI, MEMBER-A
HON'BLE MR. K.B.S. RAJAN, MEMBER-J

Union of India & Others. ... Applicants

By Advocate : Sri A.K. Gaur

Versus.

O.P. Saxena ... Respondent

By Advocate : Sri ^{he}A.C. Shukla

ORDER

BY K.B.S. RAJAN, MEMBER-J

The review Application has been considered. Apart from the fact that various contentions contained in the Review Application do not reflect any error apparent on the face of the record, the para 3 of the order clearly shows that the respondents had argued the case and as such the order was passed after hearing the respondents. Non filing of the Counter and adjudication of the O.A without the Counter cannot be a ground for review. After all, it is the respondents who chose not to file the Counter and it is not the case that no opportunity was given to them. Hence the Review Application is dismissed.

GIRISH/-

MEMBER-J

MEMBER-A