

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH

ALLAHABAD

DATED: THIS THE 15TH DAY OF APRIL 1997

CORAM : Hon'ble Mr. S. Das Gupta AM
Hon'ble Mr. T. L. Verma JM

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Review petition no. 1882/93

Union of India & others - - - - - Applicants

C/A Sri A.V.Srivastava
Versus

Sat Pal Sethi - - - - - Respondent

C/R R.K.Nigam IN

ORIGINAL APPLICATION NO. 225/92

Sat pal Sethi - - - - - Applicant

Versus

Union of India and others - - - - - Respondents

ORDER (Oral)

By Hon'ble Mr. S.Das Gupta AM

This application has been filed by Union of India and others, who were respondents in O.A.No.225/92 seeking review of the order dated 13.1.1993 by which the aforesaid O.A. was disposed of with certain directions.

Operative portion of the order
reas as follows :

" In these circumstances, we consider it expedient to direct the respondents to verify the papers relating to the applicant and issue necessary appointment orders if the claim of the applicant is found to be correct, as per their record. The above exercise may be completed within a period of 3 months from the date of receipt of a copy of this order. The application is disposed of as above with no order as to costs. "

3. We have gone through the submissions made in the Review application. We have also heard and learned counsel for the petitioners in the Review application. It is well settled that an order already passed can be reviewed only if the order suffers from any error apparent on the face of record or if any fact is brought out, which could not be brought out earlier even after exercising due diligence which would warrant such review of the order already passed. There is nothing in the submissions made in the review application which would indicate the order sought to be reviewed suffers from any error on the face of record. Order was passed ex parte against the respondents as no counter affidavit was filed despite issue of notice. In the review application petitioners have sought to explain the reasons why the C. A. could not be filed. This can hardly be a reason for review of an order already passed. In the operating

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portion of the order, it was only enjoined on the respondents to consider the claims of the applicant in the O. A. based on record and if the claims are substantiated then only he be appointed. We see nothing in this order passed in the O. A. which is not capable of being complied with.

4. Inview of the foregoing, this Review application is dismissed.

J. H. M. L.
Member (J)

W. S.
Member (A)

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