

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH, ALLAHABAD.

Allahabad this the day 21st March of 1995.

REVIEW APPLICATION NO. 84/10 OF 1994.

IN

ORIGINAL APPLICATION NO. 349 OF 1994.

Union of India and others..... Applicants.

By Advocate Sri J.N. Singh.  
Versus

Ramdheni & others..... Respondents.

CORAM: Hon'ble Mr. S. Das Gupta, MEMBER (A)

Hon'ble Mr. T.L. Verma, MEMBER (J)

O R D E R

By Hon'ble Mr. S. Das Gupta, MEMBER (A)

1. This application has been filed by Union of India and others, the applicants in O.A. no. 349/94 seeking review of the judgment and order dated 2.9.1994 by which, the aforesaid Original Application was dismissed.

2. In the aforesaid Original Application the applicants had challenged an award dated 4.3.1993, given by the Industrial Tribunal Cum Labour Court, Kanpur, holding inter alia that the action of the management in terminating the services of the respondents in the said Original Application was neither legal nor justified and ordering that he be reinstated in service with full backwages. After a careful consideration of all these points raised by the applicants in the aforesaid Original Application, this Tribunal declined to interfere <sup>with</sup> the award of the Industrial Tribunal and dismissed the said application.

2. In the Review Application inter alia the following grounds have been taken :-

- a) That this Tribunal has wrongly upheld the impugned award of the Industrial Tribunal Cum Labour Court.
- b) That this Tribunal has erred in holding that the case before the Industrial Tribunal Cum Labour Court was <sup>not</sup> barred by Res-judicata.
- c) That this Tribunal has erred by ~~omitting~~ to consider that the application before the Industrial Tribunal was not <sup>covered</sup> ~~considered~~ Under Section 25F, 25N or 25G.
- d) That this Tribunal has wrongly held that the Industrial Dispute was referred by the appropriate Government.
- e) That this Tribunal has wrongly observed that the respondents in the Original Application had attained the temporary status at the time of the termination of his service and had ignored the averments in the Original Application that he was not a Workman under Industrial Dispute Act and also that he had not worked continuously for 120/180 days to give him temporary status.
- f) That this Tribunal has not considered the fact that the respondents in the Original Application had submitted forged School Leaving Certificate.

3. It would appear from the Review Application that the review has been sought on the grounds that this

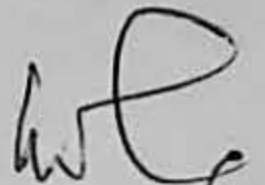
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Tribunal has reached erroneous findings on merit. The scope of Review Application is very limited. An order already passed, can be reviewed only if there is any error apparent on the face of the record. A review is also possible if some new facts are brought out, which could not be brought out earlier despite due diligence. In the present application, no case has been made out that there is any error in the impugned order on the face of the records. No new facts have also been brought out which would warrant review of the order already passed.

4. The Review Application, therefore, lacks merit and is dismissed.

  
MEMBER (J)

  
MEMBER (A)

ALLAHABAD: DATED:

am/