

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH
ALLAHABAD

Dated: the 18 day of September 1996

Hon'ble Mr. S. Das Gupta, A.M.
Hon'ble Mr. T. L. Verma, J.M.

Review application No. 123 of 1995

IN

Original Application No. 925 of 1995

(Capt.) S.C. Gulati, Ex. Deputy Director,
aged 58 years, H.No.88, HG(D) Avantika,
Naini, Allahabad.

(By in person).

.....Applicant

Versus

1. Union of India, through the Development Commissioner (SSI), Nirman Bhawan, New Delhi.
2. Sri R.K. Chaudhary S/o Sri P.S. Chaudhary, C/o Director Small Industries Services, Institute, Kalpi Road, Kanpur.

(By)

.....Respondents

O R D E R

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

This review application filed by the applicant in O.A. No. 925/95 seeks recall of the judgement and order dated 18-9-1995 by which O.A. No. 925/95 was dismissed in limine.

2. In the aforesaid O.A. the applicant has challenged an order by which he was relieved consequent upon his transfer. We noticed that the applicant had earlier approached this Tribunal through another O.A. challenging the transfer order dated 2-2-93. ~~The A~~ Single Member Bench of the Tribunal dismissed that O.A. with a direction that the applicant's representation be considered. As the challenge to the order of transfer itself did not succeed, we saw no reason to interfere with the relieving order which was passed pursuant to the order of transfer and hence the O.A. was dismissed.

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3. The grounds taken in review application is that an application for condonation of delay was submitted on 8-9-95 and therefore the application shall not be barred by limitation. It has also been submitted that the name of the respondent no.2 has not been incorporated in the order and that we did not appreciate true state of the circumstances and failed to consider the material issue.

4. It is settled law that the judgement and order already passed can be reviewed only if it suffers from any error apparent on the face of records or if certain new facts are brought out warranting the review of the earlier order provided such facts could not be brought out earlier despite due diligence, or for any other analogous reason.

5. None of the points pleaded indicates that the judgement itself suffers from any error apparent on the face of records. Mere omission to incorporate the name of the respondent no.2 does not materially alter the decision taken on merit. The applicant has also not brought any new facts which would warrant review of the order already passed.

6. In view of the foregoing, the review application has no merit and is dismissed accordingly.

Sharma
MEMBER (J)

W
MEMBER (A)

T.S./