

Open Court

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

(9)

Review Application No. 14 of 1999

In

Original Application No. 32 of 1995

Allahabad this the 18th day of August, 2000

Hon'ble Mr.S.K.I. Naqvi, Member (J)
Hon'ble Mr.M.P. Singh, Member (A)

Union of India and

Others Respondents

By Advocate Shri P. Mathur

Versus

Shahar Yar Khan Applicant

By Advocate Shri S.S. Sharma

O R D E R (Oral)

By Hon'ble Mr.S.K.I. Naqvi, Member (J)

The respondents in O.A.No.32/95 has come up on review side mentioning some allegedly patent error in the judgment rendered by the Tribunal. Now at this stage, it is not in dispute that the respondents preferred a writ petition before the Hon'ble High Court against this judgment and the same has already been decided. We find that under the provision ~~under~~ ⁱⁿ Order 47 Rule 1 C.P.C., now no review is maintainable. The position is quite clear that the provision ~~for~~ ^{for} review as

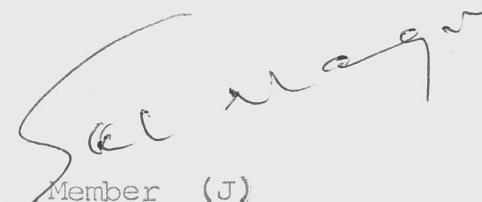
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provided in Civil Procedure Code is applicable to proceedings before the Tribunal as well. Learned (respondents in O.A.) counsel for the applicants/ took us through 'Union of India Vs. Ashwini Kumar(1993)25 A.T.C. page 461', but we find that the position as it was before their Lordships at Apex Court, was quite different than the stage of the present matter. Hence, the case law as referred, is not applicable in the present circumstances of this review petition. The learned counsel for the respondents(applicant in O.A.) has referred 'J.T.1998(3) S.C. Shri Gopabandhu Biswal etc. Vs. Krishna Chandra Mohanty & Ors. etc.', in which the applicability of provision under C.P.C. in the matters of C.A.T. cases, has been clarified and held that had after the judgment of the Tribunal ~~has~~ become final, it had no power to review.

2. For the above, we find that the review application is not maintainable, hence dismissed.


Member (A)


Member (J)

/M.M./