

BY CIRCULATION

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Review Petition No. 40 of 2000

In

Original Application No.167 of 1998

Allahabad this the 20th day of September, 2000

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

Prahlad Mishra, S/o Sri C. Mishra, R/o-223,
Central Colony, Mugalsarai, Varanasi Now
Chandauli. Petitioner

By Advocate Shri Wasim Alam

Versus

1. Union of India through General Manager,
Eastern Railway, Calcutta.
2. The Divisional Electrical Engineer,
Eastern Railway, Mugalsarai, Varanasi,
now Chandauli.
3. The Senior Divisional Personnel Officer,
Eastern Railway, Mugalsarai, Varanasi
Now Chandauli.

Opp. Parties

O R D E R

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

This petition bears a prayer to
review the order passed in O.A.No.167 of 1998
on 11.7.2000, through w-hich the O.A. was dis-
missed and relief sought was not granted. The
petitioner-had-on review side has pleaded that

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the matter was decided after hearing the counsel, who appeared on behalf of the applicant, but the applicant had disengaged them and, therefore, they were not authorised to represent and make argument on behalf of the applicant. It has also been mentioned that the legal points which ought to have been raised by the learned counsel for the applicant, have not been considered in the matter.

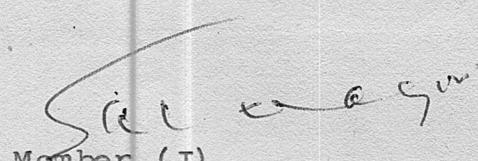
2. The perusal of the record shows that it is an open court judgment, which was delivered after hearing the learned counsel for either side, and the applicant was represented through a panel of counsel consisting of S/Shri S.K. Dey, Advocate, S.K. Mishra, Advocate, and S.S. Sharma, Advocate. If the applicant is not satisfied with the performance of his counsel, it is not open to him to get the matter ^{re-opened} by engaging another counsel. In his review petition, the applicant has mentioned that he had engaged the present counsel, through whom this review petition has been filed, on 06.7.00, but there is no such vakalatnama in the paper book of the connected O.A. and the Vakalatnama of Shri Wasim Alam filed with this review petition is of 09.8.2000 i.e. about one month after the decision of the O.A. and about a week before filing this review petition.

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3. I do not find the scope of review petition can be stretched to the extent that the applicant may be allowed to play fresh ^{leah} inning by changing his counsels. On merit too, I do not find that there is any error apparent in the impugned order to review the same. The review petition is dismissed accordingly.


Member (J)

/M.M./