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under Circulation.

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,  
ALLAHABAD.

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Review Application No. 23 of 2002

In

Original Application No. 1178 of 1999

this the 8th day of April' 2002.

HON'BLE MR. RAFIQ UDDIN, MEMBER (J)  
HON'BLE MR. C.S. CHADHA, MEMBER (A)

Imlak Ahmad, S/o Sri Saeed Ahmad, R/o 343, Rani Mandi,  
Allahabad.

Applicant.

Versus.

Union of India & Others

Respondents.

O R D E R

RAFIQ UDDIN, MEMBER (J)

This Review petition has been filed by the respondents in the O.A. no. 1178 of 1999 seeking review of the order dated 29.11.2001. By the said order, the O.A. was allowed and the order dated 25.5.99 (Annexure-1 to the O.A.) was quashed with all consequential benefits to the applicant. It was, however, observed that the respondents were at liberty to take any action in the matter as per rules and the observations made in the order.

2. The Review petition has come before us under the circulation rules and the same is being disposed of as no hearing is considered necessary.

3. The Review petition has been filed alongwith M.A. no. 1325 of 2002 for condonation of delay in filing the Review petition supported with an affidavit. It is stated that the delay in filing the present Review petition was due to official correspondence and not deliberate.

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Considering the facts and circumstances of the case, the delay in filing the Review petition is condoned.

4. It may be stated that the order dated 25.5.99 was passed solely on the ground that the show-cause notice was issued to the applicant before passing the same for rectifying the order of re-fixing the seniority of the applicant w.e.f. 6.10.72 and it was held that the order having been passed in violation of the principles of natural justice and, therefore, the same was arbitrary. The present Review petition has been filed by the respondents challenging the merit of the case of the applicant which is beyond the scope of review. The Review petition is, therefore, misconceived and is liable to be dismissed. The Review petition is, accordingly, dismissed.



MEMBER (A)



MEMBER (J)

GIRISH/-

