

(2)

R.A./1/89

in  
O.A./612/88

Coram : Hon'ble Mr.P.H.Trivedi ; Vice Chairman  
Hon'ble Mr.P.M.Joshi ; Judicial Member

28/09/1989

Per : Hon'ble Mr.P.H.Trivedi : Vice Chairman

The petitioner has sought review of our orders dated 8.12.1988 in O.A./612/88, The orders referred to, ~~not~~ of the appeal preferred by the petitioner on 26.3.1987, against the orders of penalty dated 16.2.1987 and directed to respondent authorities to dispose of the appeal within 3 months from the date of that order. In his Misc. petition seeking review the petitioner states that he was not aware of the decision of the appellate authority. It was not communicated to him that the appellate authority had already made its decision on 14.4.1988, which was not communicated to the petitioner until 22.9.1988 when he presented his petition in O.A./612/88, and that when he gave his consent on 8.12.1988, for consideration of appeal by appellate authority, He was not aware of that decision. He takes the plea that the respondent No. 3, had ~~urged~~ in communicating the decision of the appellate authority which was ~~awarded~~ <sup>abated</sup> with the ~~case of the~~ <sup>Tribunal's order in</sup> ~~administration of~~ the case of O.A./612/88.

There is nothing to show that there is any manifest error of law <sup>or</sup> of fact on the record. If the appellate authority's order was not communicated to the petitioner or that he had given his <sup>Consent</sup> ~~consideration~~ to go <sup>before</sup> ~~to court~~ before the appellate authority <sup>without</sup> ~~when~~ being aware of the order, The petitioner can seek relief against the appellate authority <sup>against</sup> ~~or by a~~ <sup>he</sup> ~~separate~~ order if he has any cause relating thereto.


This does not constitute the circumstances which is sufficient to cause a review of the orders which were passed on the representations made before the court at the time when they were <sup>passed</sup> ~~caused~~ and which do not bare any relief or any

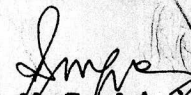
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Remedy against 2 -

justification of the appellate authorities' orders.

Accordingly no review is justified. Misc. petition is rejected.

  
( P.H. Trivedi )  
Vice Chairman

  
( P.M. Joshi )  
Judicial Member

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