

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

R.A. No. 46 of 1997  
(O.A. No. 509 of 1996)

Present : Hon'ble Dr. B.C. Sarma, Administrative Member.  
Hon'ble Mr. D. Purkayastha, Judicial Member.

Nepal Chandra Dey

...Applicant

- v e r s u s -

Union of India and Ors.

...Respondents

( Counsel present at the time of final hearing of Original Application).

For the applicant : Mr. B. Chatterjee, counsel.

For the respondents : Mr. C. Samadder, counsel.

DISPOSED OF BY CIRCULATION

DATE OF ORDER - 16.12.97

O R D E R

D. Purkayastha, JM

This review application has been filed by the applicant for review of the order passed on 6.3.97 dismissing the application of the applicant on the grounds that the applicant could not satisfy us that he was not allowed any opportunity to exercise his option to switch over to the pension scheme from the SRPF and on the ground that the judgment of the Hon'ble Apex Court reported in 1996 (2) SC Service Law Judgment 258 (V.K. Ram Murthy Vs. Union of India and Ors.) is binding to us. I have gone through the application and judgment, I find that the judgment is well reasoned and passed after considering the material facts and arguments placed before us at the time of hearing. Now the applicant has come with a review petition on the ground that the judgment of the Hon'ble Apex Court in V.K. Ram Murthy's case (Supra) is not the latest one where decisions of the Hon'ble Apex Court in case of Krishena Kumar Vs. UOI (1990) SCC 207 was relied upon. According to the applicant the judgment of the Hon'ble Apex Court reported in 1997 SC SLJ 148 (Union of India Vs. V.R. Shastri) is the latest one and ought to have been followed by us. We find that the Id. counsel could not cite the decision reported in 1997 SC SLJ 148 at the time of hearing.