

THE CENTRAL ADMINISTRATIVE TRIBUNAL  
LUCKNOW BENCH

Review Application No.2/2007.

In

Original Application No.438/2006.

This the 27<sup>th</sup> day of March 2007.

HON'BLE MR. A.K. SINGH, MEMBER (A).  
HON'BLE MR. M. KANTHAIAH, MEMBER (J).

Union of India & Others. .... ...Applicant.

By Advocate: Shri K.K. Shukla

Versus.

Udai Narain Singh ..... ... Respondents.

By Advocate: None.

**ORDER**

**BY HON'BLE MR. M. KANTHAIAH, MEMBER (J).**

This is the Review application filed by the Respondents against the order of the Tribunal dated 11.12.2006 on the following grounds.

2. The O.A. was decided without completion of pleadings and Disciplinary proceedings cannot be interfered unless there is any illegality and in the instant case disciplinary proceeding was going on against the applicant under the statutory rules and regulation. When the matter was coming for disposal of interim relief giving final disposal of the case is not at all justified and on those grounds, the respondents sought recall of the order-dated 11.12.2006, passed by this Tribunal.

3. This Review application has been decided under the circulation.

4. Perused records.

5. The respondents have filed their objections for disposal of main OA. They also stated that in pursuance of the orders of the Tribunal dated 11.12.2006; the respondents have disposed of the pending Appeal of the applicant-dated 02.07.2006 against his suspension order dated 01.07.2006. Both the Advocates have argued the matter for disposal of the main OA and after taking note of their representation; this Tribunal finally disposed of the OA on 11.12.2006.

6. Now the respondents have filed the Revision stating that the pleadings have not been completed and he argued the matter only in respect of interim relief. But by way of their objections, the respondents have categorically stated that they have revoked the order of suspension against the applicant and also relied on revocation order dated 18.10.2006. He further stated that the pending representation of the applicant was also disposed of. When there was such revocation order of the applicant which is annexed under Annexure CR-2 dated 18.10.2006 and also disposed of the pending representation of the applicant, there was no occasion to hear any thing on interim relief. As such, there is no justification in the contention of the review applicant that it was the stage of hearing on the interim relief claim.

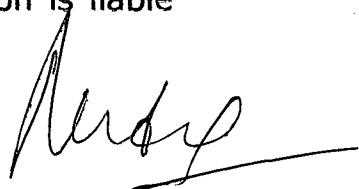
7. In respect of the relief granted to the applicant, the Tribunal has given reasons in it's order by taking note of the circumstances explained by both the parties. When both side Advocates argued the matter for final disposal, it is not open to the respondents to say that the pleadings have not been completed. It is not the case of the revision applicant that any new and important thing has noticed, which was not discussed in the order.

*[Handwritten signature]*

8. From the reading of the order of the Tribunal there are no apparent error or typographical mistake to entertain the claim of the applicant for review of the order dated 11.12.2006. None of the ingredients of the Order 47 Rule 1 C.P.C are satisfied to entertain this petition for review the order of the Tribunal dated 11.12.2006 and there are no justified circumstances to entertain this petition for review.

9. Under the above circumstances the Review application is liable to be rejected. Hence rejected.

  
**(M. KANTHAIAH)**  
**MEMBER (J)** 27-3-07

  
**(A.K. SINGH)**  
**MEMBER (A)**

Amit/

OR  
Copy of order  
dtd 27-3-2007  
Prepared on 30-3-07  
30-3-2007