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Review Application No. 777 of 1991

IN

T.A. No. 849 of 1986

Union of India ... .. Applicant.

Versus

Puddan Ram ... .. Respondent.

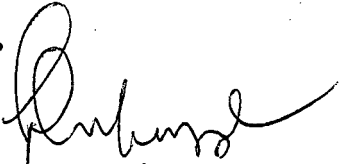
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Hon. Mr. Justice U.C. Srivastava, V.C.  
Hon'ble Mr. K. Obayya, Member (A)

( By Hon. Mr. Justice U.C. Srivastava, V.C.)

This is a 2nd Review Application filed by the plaintiff to the Civil Suit. The said civil suit was decreed ex-parte on 24.4.1985, thereafter the Union of India filed an application under order-9 rule 13 of C.P.C. which was transferred to the Tribunal and the matter came up for consideration before a Bench of the Tribunal. The application under order-9 rule-13 was dismissed. Thereafter, the Union of India filed a review application and the review application was allowed and the ex-parte decree was set aside. The Tribunal took a view that so far as the transfer of the case is concerned, no notice for the date was given and in this connection made reference to Sec. 89-A of the Sub-ordinate Court Rules. Feeling aggrieved against the same, the plaintiff has filed the review application. The review application was heard and disposed of after hearing the plaintiff, and after disposed of the review application, it is no longer open for the

plaintiff to file the second review application, although for setting aside the order, substantial justice has been done. Accordingly, the review application is not maintainable and is rejected. No order as to costs.

  
Member (A)



Vice-Chairman

Dated: 17.9.1992

(n.u.)