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CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD  
Lucknow Circuit Bench  
Review Application No.449 of 1990(L)

In

Registration O.A. No.70 of 1990 (L)

Union of India & Others ..... Appellants

Versus

J.P. Tiwari ..... Respondent

Hon.Mr.Justice K.Nath, V.C.

Hon.Mr. K.Obayya, Member(A)

(By Hon.Mr.Justice K.Nath, V.C.)

This application has been filed by the Union of India to review our judgement dated 26.6.90 in the Original Application described above. The original application was allowed for quashing the suspension order dated 21.2.90 in contemplation of the disciplinary enquiry against J.P. Tiwari.

2. After considering the applicable provisions regarding suspension, it was held by this Tribunal that the Chargesheet having not been issued to the applicant till the case came up for hearing, the suspension order was invalid because the reasons of suspension had not been communicated to him. It is stated in the present application that by mistake Part II order dated 21.2.90 was not mentioned in the Counter Affidavit in the Original Application which part contained the reasons for suspension and had been delivered to the applicant.

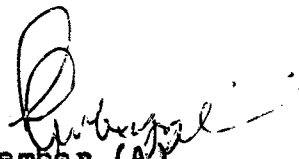
3. It is clear enough that Part II of the order dated 21.2.90 was in the possession of the applicant when the case was contested. It cannot therefore be said to be a new material on the basis of which a review could be justified. Moreover, the judgement under review has

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reserved the right of the competent authority to pass a fresh suspension order in accordance with law. We do not find sufficient cause for granting a review. The application is dismissed.

  
Member (A)

  
Vice Chairman

Dated the 25<sup>th</sup> Sept., 1990.

RKM