

**Central Administrative Tribunal
Lucknow Bench**

RA No.32/2009
MA No.1118/2009
In
OA No.348/2002

Lucknow this the 29th day of June, 2009.

Hon'ble Mr. Shanker Raju, Member (J)
Hon'ble Dr. Veena Chhotray, Member (A)

Union of India & 34 Others

-Review Applicants

-Versus-

Devi Singh Ashok

-Respondent

O R D E R (By Circulation)

Hon'ble Mr. Shanker Raju, Member (J):

Delay in filing the RA is condoned. Accordingly, MA-1118/2008 for condonation of delay is allowed.

2. Respondents in OA have filed this R.A. against an order passed by the Tribunal in OA-348/2002 on 4.9.2008, basically on the ground that the decisions of other Benches have not been considered, though a reference has been made in para-5 of the order, yet keeping in light the dicta of the Hon'ble Supreme Court the OA was disposed of. We do not find either any error apparent on the face of the record or discovery of new material, which even after exercise of due diligence, was not available with the review applicants. The review applicants are trying to re-agitate the issue, which is not permissible under Section 22 (3) (f) of the Administrative Tribunals Act, 1985 readwith Order XLVII, Rule (1) of Code of Civil Procedure. Accordingly in the light of the decision of the Apex Court in *State of West Bengal v.*

Kamal Sen Gupta, 2008 (9) SCALE 509 RA is rejected, in circulation.

V. Chhotray
(Dr. Veena Chhotray)
Member (A)

S. Raju
(Shanker Raju)
Member (J)

‘San.’

copy of order
dated 29-6-08
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