

CENTRAL ADMINISTRATIVE TRIBUNAL

PATNA BENCHR.A.NO.: 16OF 2000

[Arising out of OA 54 of 1996]

[Patna, this Tuesday, the 19th Day of December, 2006]C O R A M

HON'BLE SHRI JUSTICE P.K.SINHA, VICE-CHAIRMAN.

HON'BLE SHRI S.N.P.N.SINHA, MEMBER [ADMN.]

Baij Nath Rai, son of Late Tanki Rai, Ex-Assistant 'G' in C.F.R.I., Dhanbad, resident of village Sonebarsa, Post Chepakala P.S. - Barkagaon, District - Hazaribagh.APPLICANT.

By Advocate :- Shri M.P.Dixit.

Vs.

1. The Union of India through D.G.,CSIR, Rafi Marg, New Delhi.
2. Director, C.F.R.I., P.O. F, RI District Dhanbad.
3. Shri Rameshwar Das, A.O., CFRI P.O. FRI District - Dhanbad.

By Advocate :- Shri V.M.K.Sinha, SC.RESPONDENTS.O R D E R [ORAL]

Justice P. K. Sinha, V.C.:- Heard learned counsel for the applicant and learned counsel for the respondents. This is preliminary hearing in the Review Application.

2. This application is directed against the order recorded by a Division Bench of this Tribunal in OA 54 of 1996 dated 19.11.1999, under which the application was dismissed.
3. Learned counsel for the applicant has stressed following points :-



[i] This Tribunal while recording the order had not considered all the documents.

[ii] The respondents had failed to file any document which might have supported the order of the Tribunal.

[iii] The question also posed was as to whether the applicant had a right to be inducted from non technical side to technical side in view of Annexure-A/6 of the OA.

4. Learned counsel submitted, as also mentioned in para 3 of the Review application, that if the entire pleadings and materials on record had been fully considered, the result would have been in favour of the applicant.

5. From a perusal of the order of the Tribunal it would appear that in para 4 of the same this Court had noticed that the applicant had retired from service and was on the verge of retirement even when he had filed the OA and that the induction into the technical side was stated by the respondents to be need based since 01.04.1992, hence the applicant could not claim a vested right for his induction into the technical side and, for these reasons, the application had to fail.

6. Therefore, it will appear that this Tribunal had considered a vital point and took a decision on that, and dismissed the application. What the learned counsel for the applicant has argued amounts to augmenting the arguments which were made earlier, i.e., further arguments on the same matter.

7. The contention of the applicant that the judgment was not correct, could not be a ground for review of an order. A review has to be



3.

RA 16 of 2000

circumscribed within the three grounds as mentioned under Code of Civil Procedure, and the Tribunal while reviewing an order cannot travel beyond that.

8. For these reasons, we do not find that this application for review of the order aforesaid has any merit.

This Review Application is dismissed. No costs.


[S.N.P.N.Sinha]/M[A]


[P.K.Sinha]/VC

skj.