

Central Administrative Tribunal

Patna Bench, P a t n a

R.A.No.: 15 of 2004.

(Arising out of O.A. No.: 616 of 1996).

C O R A M

Date of Order : 29.07.04.

Hon'ble Smt. Shyama Dogra, Member (Judicial).

Hon'ble Shri Mantreshwar Jha, Member (Administrative).

Binod Kumar Singh, son of Shri Ram Chandra Singh, resident of Biharibigha, P.S. Pandarak, Barh, District Patna.

..... APPLICANT.

By Advocate :- Shri S.K.Sinha.

Vs.

1. The Union of India through the Deputy Comptroller and Auditor General, Office of the Comptroller and Auditor General of India 10, Bahadurshah Jafar Marg, New Delhi.
 2. The Accountant General, Audit, Bihar, Patna.
 3. The Deputy Accountant General (Administration), O/o the Accountant General (Audit-II), Bihar, P.O.: Hinoo, now State of Jharkhand.
 4. The Regional Director, Staff Selection Commission, Block No.2, C.G.O.Complex, Lodhi Road, New Delhi.
 5. Shri Sidheshwar Mishra, A.A.O., office of the Accountant General, (A.U.), Patna.
- RESPONDENTS.
- By Advocate :- N o n e.

O R D E R

Shyama Dogra, Member (J) :- This Review Application has been filed by the applicant for review of the orders passed by this Court in OA No. 616 of 1996, dated, the 29th June, 2004. By challenging the said order the main prayer of the applicant is that his case should have been decided after disposal of OA 454 of 2003, filed by the applicant and the same was fixed for hearing on 02.09.2004 and the applicant's counsel has already made prayer to that effect in the Court. However, the case has been decided in the absence of the counsel under Rule 15(1) of the CAT (Procedure) Rules which has caused grave mis-carriage of justice to the applicant as it would cause irreparable loss to him.

2.

It is submitted by the applicant in the

present review application that while preferring one M.A. No. 474 of 2000, arising out of the present OA 616/96, which was disposed of while giving liberty to the applicant to file fresh OA in view of the order of his termination passed subsequently by the respondents and OA 454 of 2004 has been preferred by the applicant in pursuance of the order passed by this Court. Therefore, it was incumbent upon the Court to hear both these cases together.

3. After carefully going through the contents and of the order under review/the contents of the review application, I am of the considered opinion that applicant has failed to point out any error apparent on face of the record to ~~recall~~ review the order. It is also found that this Court has also taken note of the said M.A. No 474 of 2000, wherein, the applicant had prayed for quashing of his termination order dated, the 25th September, 2000, which was withdrawn by the applicant with liberty to file fresh OA and the applicant has infact, filed fresh OA 554 of 2004 which is pending for hearing. Therefore, it is understood that the applicant must have taken all the pleas in the subsequent above-referred OA for redressal of his grievance. Therefore, otherwise also this order under review cannot be re-opened while hearing it afresh that too, without applicant being pointing out any error apparent on the face of the record. Therefore, the present R.A. being devoid of merit is hereby dismissed in circulation.

Shyama Dogra
(Shyama Dogra) 29.7.07
Member (J)

Mantreshwar Jha
(Mantreshwar Jha)
Member (A)