

CENTRAL ADMINISTRATIVE TRIBUNAL,

MUMBAI BENCH.

Original Application No.120/96.

Coram: Hon'ble Shri B.S.Hegde, Member(J),
Hon'ble Shri P.P.Srivastava, Member(A).

Friday this the 2nd day of August, 1996.

P.Venu,
Superintendent of Salt,
Uran, New Bombay - 400702. ... Applicant.
(Applicant in person)

v.

Union of India
represented by the Joint Secretary
and the Chief Vigilance Officer,
Ministry of Industry, Udyog Bhavan,
Department of Industrial Development,
New Delhi - 110 011. ... Respondent.
(By Advocate Shri V.S.Masurkar, C.G.S.C.)

O R D E R (ORAL)

(Per Shri B.S.Hegde, Member(J))

Heard the applicant in person and
Shri V.S.Masurkar, counsel for the Respondents.

2. Shri Masurkar for the respondents states
that the applicant has not challenged any final
punishment order imposed by the competent authority
and that before completion of the inquiry he gave
a Memorandum to the President of India which has
not been forwarded to the concerned authorities and
hence no cause of action has arisen.

3. We find that the O.A. is premature and
the same is dismissed at the admission stage itself.

MR. P.P. SRIVASTAVA
(P.P.SRIVASTAVA)
MEMBER(A)

B.S. HEGDE
(B.S.HEGDE)
MEMBER (J).

B.

CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH

Review Petition No. 105/96 in
Original Application No. 120/96

P. Venu

... Applicant.

V/s.

Union of India through
Joint Secretary,
Ministry of Industry.
New Delhi.

... Respondent.

CORAM: Hon'ble Shri B.S. Hegde, Member (J)

Hon'ble Shri P.P. Srivastava, Member (A)

Tribunal's order on Review Petition
No. 105/96 by Circulation.

Dated: 18.11.96

(Per Shri B.S. Hegde, Member (J))

The applicant has filed this Review
Petition seeking review of the judgement dated 2.8.96.

In the O.A. the applicant has not challenged
any final order passed by the respondents. Before
completion of pending disciplinary enquiry, the
applicant has preferred a Memorandum to the President
of India which has not been forwarded to the concerned
authority. In the absence of any cause of action the
applicant is not suppose to send a memorandum to the
President of India. He is empowered to challenge
the final order in the disciplinary proceeding.
Accordingly, the Tribunal held that the O.A. is
premature and the same was dismissed.

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On perusal of the Review Petition, we find that no fresh facts have been brought to our notice. The applicant again reiterated that the respondents ought to have send the memorandum submitted by the applicant to the President of India, which the respondents should not have been with held.

The scope of Review Petition is very limited. In the absence of fresh materials, we do not see any merit in the Review Petition and the same is dismissed by circulation.


(P.P. Srivastava)
Member (A)


(B.S. Hegde)
Member (J)

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