

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

R.P. NO.: 23/2002 IN O.A.No. 925/2001

Dated this Thursday, the 27th day of June, 2002.

CORAM : Hon'ble Shri B. N. Bahadur, Member (A).

Tulshiram Shidu Jagtap ... Applicant.

VERSUS

Union of India & Others ... Respondents.

TRIBUNAL'S ORDER ON CIRCULATION :

This is a Review Petition bearing No. 23/2002 filed with regard to the judgement made in O.A. No. 925/2001. It is filed by Original Applicant. A careful perusal of the Review Petition shows that the Applicant is aggrieved at the dismissal of the O.A. on the ground of its being hit by the principles of constructive res judicata. He states that Respondents were supposed to file Written Statement and thus, the Applicant's advocate was taken by surprise. This is hardly a point that can be argued in a Review Petition. The issue regarding res judicata/constructive res judicata is a purely legal issue and there is no reason why the Applicant's counsel, who has come to the Court fully knowing his case, should be taken by surprise or be "confused or puzzled".

2. Well, as the Applicant may be aggrieved by the order made in the O.A., the remedy does not lie in coming up in a Review Petition. It lies elsewhere. Since no errors apparent on the face of record have been made out in the O.A., the Review Petition deserves to be dismissed and is accordingly dismissed.

*B. N. Bahadur*

(B. N. BAHADUR)  
MEMBER (A).