

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS THE 18TH AUGUST, 1987

Present:- Hon'ble Justice Shri K.S. Puttaswamy, Vice-Chairman  
Hon'ble Shri P. Srinivasan, Member(A)

APPLICATION NO. 1737/86(F)

S.M. Pattanakik,  
(Indian Administrative Service),  
Karnataka Cadre,  
Presently: Managing Director,  
Karnataka Silk Industries Corporation,  
Public Utility Building,  
M.G. Road, Bangalore-1.

Applicant

(Shri B.R. Hegde... Advocate)

1. The State of Karnataka,  
through the Chief Secretary,  
Vidhana Soudha, Bangalore,
2. Chief Secretary to Government  
of Karnataka, Vidhana Soudha,  
Bangalore.

Respondents

(Shri S.M. Babu... Advocate)

This application has come up for hearing  
before this Tribunal to-day, Hon'ble Member (A)  
made the following :

O R D E R

Application No. 1737/86(F) was disposed of  
by this Tribunal by order dated 22.4.1987. In  
that order we had held that the applicant who  
was complaining against an adverse entry in  
his character roll had not exhausted all the  
remedies available to him and in pursuance of  
Section 20 of the Act, we directed (1) the  
applicant to file an appeal against the adverse  
remarks and (2) the authorities concerned to  
dispose of the said application within two  
months of its receipt.

2. The Respondents in that application have  
now sought an extension of time to dispose of

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the appeal filed by the applicant by two months. Shri S.M. Babu appearing for the State of Karnataka submits that the matter has been referred to the Central Government for a final decision and their reply has not yet been received. He, therefore, submits that an extension of time may be allowed for obtaining the decision of the Government of India. Shri Hegde opposes this submission and states that the matter has been already delayed and any further delay would affect his client's interests in the matter of posting, though he is not due for promotion to the next grade at the moment. Having considered the arguments of both counsel, we feel that Respondents should be allowed an extension of time of about one month to comply with the directions of this Tribunal. Respondents will dispose of the applicant's appeal positively before 30.9.1987 and we make it clear that no further extension of time will be allowed.

3. The applicant in the said A. No. 1737/86(F) has sought a review of our order dated 22.4.1987. The Registry has not yet given a number to the review application. It should be done now.

4. Shri Hegde appearing for the applicant contends that we committed an error in our dated 22.4.1987. According to him when an application is admitted by this Tribunal all proceedings pending with any other authority automatically abate. That being so, this Tribunal ought to have disposed of the application on merits and not in the manner

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it did by directing the applicant to file an appeal and Respondents to dispose of it. To this extent, according to Shri Hegde, there was a mistake apparent from the records.

4. Having considered the submissions of Shri Hegde, we are not satisfied that this is a case which calls for review. Merely because all other proceedings abate when an application is filed, that does not restrict the powers of this Tribunal to dispose of the application in the manner it thinks fit to do. If at the hearing it is found that all remedies had not been exhausted, this Tribunal certainly has the power to direct the applicant to exhaust his departmental remedies before coming to this Tribunal and to ~~dismiss~~ dispose of the application with such a direction. We do not see any mistake or error apparent from the record which justifies a review.

5. It is needless to say that in review we do not sit as an appellate authority to reconsider a decision rendered in the original application. The Review Application, therefore, deserves to be rejected.

6. In the result this Review Application is rejected.

*Mr. Puttaswamy*

(K.S. PUTTASWAMY)  
VICE-CHAIRMAN

18/8/87

sb:

*P.S. Srinivasan*

(P.SRINIVSAN)  
MEMBER(A)

18/8/87

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
@@@@@@@

Commercial Complex (BDA),  
Indiranagar,  
Bangalore - 560 038

Dated : 24/8/87

IA II IN APPLICATION NO 1737 /86(F) & RA 110/87

W.P. NO

Applicant

Shri S.M. Pattanaik

v/s The Chief Secy, State of Karnataka  
and another

To

1. Shri S.M. Pattanaik  
Managing Director  
Karnataka Silk Industries Corporation  
Public Utility Building  
M.G. Road  
Bangalore - 560 001

3. The Chief Secretary  
State of Karnataka  
Vidhana Soudha  
Bangalore - 560 001

2. Shri B.R. Hegde  
Advocate  
No. 247, 1st Stage  
Indiranagar  
Bangalore - 560 038

4. The Chief Secretary  
to Govt. of Karnataka  
Vidhana Soudha  
Bangalore - 560 001

5. Shri S.M. Babu  
State Govt. Pleader  
Karnatak Administrative Tribunal  
Indiranagar, Bangalore - 560 038

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/STAN/xx/xx  
INTERIM ORDER passed by this Tribunal in the above said  
application on 18-8-87. RA has been registered as 110/87.

*B.V. Venkatesh*  
DEPUTY REGISTRAR  
SECTION REGISTER  
(JUDICIAL)

Encl : as above

RECEIVED 25-8-87

Diary No. 1054/8R/87

Date: 25/8/87