

CENTRAL ADMINISTRATIVE TRIBUNAL

BANGALORE

DATED THIS THE 8TH DAY OF OCTOBER, 1987

Present: Hon'ble Shri Justice K.S. Puttaswamy, Vice-Chairman
and
Hon'ble Shri L.H.A. Rego, Member (A)

REVIEW APPLICATION NO. 114/1987

The General Manager,
Telecom,
Bangalore-9.

... Applicant

(Shri M. Vasudeva Rao, CGASC)

v.

Shri H.V. Narayanaswamy,
Jr. Engineer, Telephone Exchange,
Kengeri.

... Respondent

(Shri Chandrakanth Goulay, Advocate)

This application having come up for hearing to-day,
Vice-Chairman made the following:

O R D E R

In this application made under Section 22 (3) (f) of the Administrative Tribunals Act, 1985 the applicant herein who was the respondent in A.No.315/87 seeks for a review of an order made on 9-7-1987 allowing that petition made by the respondent who was the applicant in that case.

2. In A.No. 315/87, the respondent had challenged the order dated 14.11.1986 of the Divisional Engineer, Telephones ('DET') (Annexure-C). While quashing that order we have also quashed another order of the DG P&T ('DG') that had not even been challenged by the respondent in that application.

3. Shri M. Vasudeva Rao, learned Counsel for the applicant, contends that in quashing the order of the DG, which had not been challenged by the respondent, this Tribunal has committed manifest error apparent on the face of the record.

4. Shri Chandrakanth Goulay, learned counsel for the respondent, in our opinion, very rightly, does not dispute that ^{the} respondent had not challenged the order of the DG.

5. When the respondent had not even challenged the order of the DG, it was not open to us to examine its validity and quash the same. But we, have, however, done that. In doing so we have committed a manifest error apparent on the face of the record and therefore the same calls for a reiveu under the Act.

6. In the light of our above discussion, we allow this application for review, recall our order dated 9.7.1987 in A.No.315/87 and restore that application to its original file.

Ms. D. M. ...
Vice-Chairman *sp/87*

[Signature]
Member (A) *S-87*

dms/Mrv.

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
.....

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

Dated: 27-10-87

REVIEW APPLICATION NO 114 /87()

W.P.No. _____

APPLICANT

Vs

RESPONDENTS

GM, Telecommunication
To Karnataka Circle

Shri H.V. Narayanaswamy

1. The General Manager
Telecommunication
Karnataka Circle
Bangalore - 560 009
2. Shri M. Vasudeva Rao
Central Govt. Stng Counsel
High Court Buildings
Bangalore - 560 001
3. Shri H.V. Narayanaswamy
Junior Engineer
Office of the Assistant Engineer(Rural)
South Bangalore Telephone Exchange
Kengeri
4. Shri Chandrakenth Goulay
Advocate
90/1, 2nd Block
Thyagarajanagar
Bangalore - 560 028

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~XXXX~~

~~INTERIM ORDER~~ passed by this Tribunal in the above said application Review
on 8-10-87.

RECEIVED H copies 28/10/87

Diary No. 1365/cr/87

Signed Date: 30.10.87

Encl: as above.

Halei
DEPUTY REGISTRAR
(JUDICIAL)

d/c

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

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Sd/-
Vice-Chairman *8/10/87*

Sd/-
Member (A) *18.8.87*

- True copy -

dms/Mrv.

for file
DEPUTY REGISTRAR
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE