

June 8 Date: 25/8/82

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

DATED THIS THE 20TH DAY OF AUGUST, 1987

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

REVIEW APPLICATION NO. 58/1987

Shri S.K. Srinivasan,  
No.64, 7th Temple Road,  
Malleswaram,  
Bangalore.

.... Applicant..

(Shri M.S. Nagaraj, Advocate)

v.

1. The Director General,  
Employees' State Insurance  
Corporation, ESIC Building,  
Kotla Road,  
New Delhi.
2. The Chairman,  
Standing Committee of the ESIC  
and the Additional Secretary,  
Department of Labour,  
Ministry of Labour,  
Shram Shakthi Bhavan,  
Rafi Marg, New Delhi.
3. The Regional Director,  
E.S.I. Corporation,  
No.10, Binny Fields,  
Binnypet,  
Bangalore-23.

.... Respondents.

(Shri M.S. Padmarajaiah, SCGSC for R-1)  
(Shri M. Papanna, Advocate for R-2&3)

This Review 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, 1935 the applicant has sought




for a review of the order made on 30.1.1987 dismissing his Application No.1653/86(F) in which he had challenged an order of compulsory retirement in a disciplinary proceeding.

2. The principal ground on which the applicant sought for review was that in Application No.1678/86(T) decided on 16.4.1987 another Division Bench of this Tribunal had upheld his contention that the Regional Director, ESI,(RD) had no competence to initiate the disciplinary proceedings against him. But this very question, had been referred to a Full Bench of this Tribunal in Application No.473 and 474/87 which in its opinion rendered on 10.8.1987 had overruled the decision rendered in Application No.1678/86 and had ruled that the RD was competent to initiate the disciplinary proceedings as held in A.No.1653/1936. For the very reasons stated by the Full Bench in A.No.473 and 474/87 the principal ground for review calls for rejection.

3. In the other two grounds, the applicant really asks us to reexamine the order made against him as if we are a court of appeal and come to a different conclusion which cannot be done in a Review.

4. On the foregoing discussion we hold that this Review Application is liable to be dismissed. We, therefore, dismiss this Review Application but in the circumstances of the case, we direct the parties to bear their own costs.

  
B. V. Venkatesh  
DEPUTY REGISTRAR  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE

Sd/-  
Vice-Chairman

Sd/-  
Member (A)

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