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

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

			Banga	alore - 560 038
			Date	d: 74/8/87
	REVIEW APPLICATION IN APPLICATION NO. 1653/	110	B	
	W.P. NO			
Арј	plicant			
Shr	i S.K. Srinivasan	V/ s	The Direct	tor General, ESIC & 2 Ors
Τo				
	Shri S.K. Srinivasan No. 64, 7th Temple Road Malleswaram Bangalore - 560 003		4.	The Chairman Standing Committee of the ESIC & the Additional Secretary Department of Labour Ministry of Labour Shram Shakthi Bhavan
2.	Shri M.S. Nagaraja Advocate 35, (Above Hotel Swagath 1st Main, Gandhinagar Bangalore - 560 009)	5.	Rafi Marg, New Delhi- 110001
3.	The Director General Employees State Insurance	■ Corporatio	n	Binnypet Bangalore - 560 023
	ESIC Building Kotla Read		6.	Shri M.S. Padmarajaiah Contral Govt. Stng Counsel, SSED BY THE BENCH High Court Bld:
	Please find enclosed	herewith	the copy	of ORDER/SANAX/
☑XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX				
application on 20-8-87				
•				R.V. Vendeled of

Encl : as above

7. Shri M. Papanna
Advocate
99, Magadi Chord Road (Near State Bank of Mysore)
Vijayanagar
Bangalore - 560 040

ysore) RECEIVED 35-08-87

Diary No. 1051/c.2/87

Jun S Date: 25/8/82

CENTRAL ADMINISTRATIVE THIBUNAL BANGALORE

DATED THIS THE 20TH DAY OF AUGUST, 1937

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.

- 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.
- 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:

DRDER

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 16.4.1937 another Division Bench of this Tribunal had upheld his contension 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.
- On the foreyoing 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.

EENCH

BANGALORE

bsv/Mrv.