

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex (BDA)
Indiranagar
Bangalore - 560 038

Dated :

23 JAN 1989

REVIEW APPLICATION NO.

133

/88

IN APPLICATION NO. 942/88(F)
W.P. NO.

Applicant(s)

Shri S. Nagaraja

To

Respondent(s)

V/s

The Post Master General, Karnataka, Bangalore
& another

1. Shri S. Nagaraja
Upper Division Clerk
Office of the Post Master General
Karnataka Circle
Bangalore - 560 001
2. Dr M.S. Nagaraja
Advocate
35 (Above Hotel Swagath)
1st Main, Gandhinagar
Bangalore - 560 009

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~ ^{Review} ~~INTERIM ORDER~~
passed by this Tribunal in the above said application(s) on 16-1-89.

Encl : As above

DEPUTY REGISTRAR
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE.

DATED THIS THE 16TH DAY OF JANUARY, 1989

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

REVIEW APPLICATION NO. 133/1988

Shri S. Nagaraja,
Aged 34 years,
S/o Late Adinarayana Chetty,
U.D.C., O/o the Post Master-
General, Karnataka Circle,
Bangalore -1.

.... Applicant.

(Dr. M.S. Nagaraja, Advocate)

v.

1. Post Master General,
Karnataka Circle,
Bangalore.

2. The Director of Postal Services,
Bangalore.

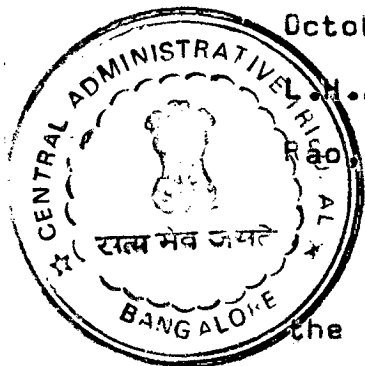
.... Respondents.

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

ORDER

In this application made under Section 22(3)(f) of the
Administrative Tribunals Act, 1985 (Act), the applicant has
sought for review of an order made by this Tribunal on 7th
October, 1988, consisting one of us, namely Hon'ble Mr. .
L.H.A. Rego, Member (A) and Hon'ble Mr. Ch. Ramakrishna-
Rao, Member (J), dismissing his application No.942 of 1988.

2. In Application No.942/88, the applicant had challenged
the non-extension of his service as Development Officer,
Postal Life Insurance, however granting such extensions to
those who had not attained the prescribed quota of postal

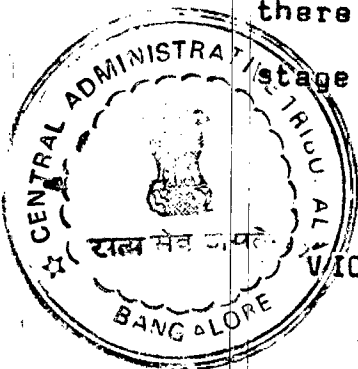


insurance, as illegal and unjustified. On an examination of the contentions urged at the hearing, the said Division Bench by its order made on 7.10.1988 dismissed the same.

4. Dr. M.S. Nagaraja, learned Counsel for the applicant strenuously contends that the plea of 'mala fides' and 'colourable exercise of power' which had been urged by his client as a ground, had been held as not urged by the Bench and the same constitutes a patent error to justify a review under the Act.

5. We have examined the original application, the pleas urged by the applicant and the order made by this Tribunal. On such an examination, we are satisfied that the Bench had not proceeded on any misconception as urged by Dr. M.S. Nagaraja and the order made by the Bench does not disclose any patent error to justify a review of the same under the Act. Even otherwise, we see no ground to review the order made by the Bench on any other ground.

6. In the light of our above discussion, we hold that this review application is liable to be rejected. We therefore reject this Review Application at the admission stage without notices to the respondents.



Sd/-

VICE-CHAIRMAN

kms/Mrv.

TRUE COPY

16/11/88

Sd/-

MEMBER (A) 16.11.88

DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE