

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
.....

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

Dated: 26-11-87

REVIEW APPLICATION NO. 115 / 87 ()
IN APPLICATION NO. 1990/86(F)
W.P.No. _____

APPLICANT

Shri Syed Gulam Jilani

To

Vs

RESPONDENTS

The Supdt of Post Offices, Raichur Division,
Raichur

1. Shri Syed Gulam Jilani
Mail Overseer Post Offices(Retd)
H.No. 28/1, Kushtagi - 584 121
Raichur District
2. Shri B.B. Mandappa
Advocate
115/3, Balappa Bldg,
Seshadripuram Circle
Bangalore - 560 020
3. The Superintendent of Post Offices
Raichur Division
Raichur
4. Shri M.S. Padmarajaiah
Central Govt. Sng Counsel
High Court Buildings
Bangalore - 560 001

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

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

~~INTERIM ORDER~~ passed by this Tribunal in the above said ^{Review} application
on 18-11-87.

RECEIVED

Diary No. 126/1987

Issued Date: 26-11-87 AB

Encl: as above.

DEPUTY REGISTRAR
(JUDICIAL)

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE

DATED THIS THE 18TH DAY OF NOVEMBER, 1987

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

REVIEW APPLICATION NO. 115/1987

Shri Syed Gulam Jilani,
Mail Overseer Post Offices (Retd)
Residing at Kushtagi,
District: Raichur.

.... Applicant

(Shri B.B. Mandappa, Advocate)

v.

The Superintendent of Postoffices,
Raichur Division, Raichur.

.... Respondents

(Shri M.S. Padmarajaiah, SCGSC)

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 has sought for a review of the order made by a Division Bench of this Tribunal dismissing his application No.1990/86.

2. In A.No.1990/86 the applicant had challenged an order of retirement made against him by the competent authority under Fundamental Rules 56(j) (F.R. 56J)

3. On the day the case was called the applicant and his learned counsel were absent. But still the Division Bench on a detailed examination of the grounds urged by the applicant and records found that the retirement was justified and, therefore, dismissed his application.



4. Shri B.B. Mandappa, learned counsel, for the applicant contends that the absence of the learned counsel for the applicant was for reasons beyond his control and the same constitutes a patent error and justifies a review of the order made by this Tribunal on 14.9.1987.

5. Shri M.S. Padmarajaiah, learned counsel, for the respondents, contends that the ground urged even if true and correct does not constitute a patent error to justify a review.

6. We will assume that there were justifiable reasons for the absence of the learned counsel for the applicant as also the applicant on the day the case was called and decided by this Tribunal. But those grounds by themselves will not constitute a patent error to justify a review under Section 22(3)(f) of the Act. We see no merit in this contention of Shri Mandappa and we reject the same.

7. Even otherwise we find that the order made by this Tribunal on a full and detailed consideration of all the questions does not disclose any patent error to justify a review of the order made by this Tribunal.

8. In the light of the above discussion we hold that this Review Application is liable to be rejected. We, therefore, reject the same. But in the circumstances of the case, we direct the parties to bear their own costs.



- True copy -

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

Sd/-
Vice-Chairman

Sd/-
Member (A)

18/11/87