

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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

Dated: 26-11-87

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

/87 ( )

APPLICANT

Vs

RESPONDENTS

Shri Syed Gulam Jilani

The Supdt of Post Offices, Raichur Division,  
Raichur

To

1. Shri Syed Gulam Jilani  
Mail Overseer Post Offices(Rtd)  
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. Stng 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~~  
~~ORDER~~ passed by this Tribunal in the above said <sup>Review</sup> application  
on 18-11-87.

RECEIVED (2) cmr. 26/11/87

Diary No. 14/11/87

Issued Date: 26.11.87 AD  
Encl: as above

P.W. Venkatesh  
DEPUTY REGISTRAR  
(JUDICIAL)

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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.

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

Sd/-  
Vice-Chairman  
18/11/87

Sd/-  
Member (A)