

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
.....

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

Dated: 8-12-87

REVIEW APPLICATION NO 53 /87 ()
IN APPLICATION NO. 775/86(T)
W.P.No. _____

APPLICANT

Shri Balwant Singh Ruprai

Vs

RESPONDENTS

The Secy, M/o Defence & 2 Ors

To

1. Shri Balwant Singh Ruprai
Principal Scientific Officer
Inspectorate of Electronics
Hebbal
Bangalore - 560 006
2. The Secretary
Ministry of Defence
New Delhi - 110 011
3. The Director of Production & Inspection
Electronics (DPIL) (Admn)
Department of Defence Production(DGI)
Ministry of Defence
DHQ P.O.
New Delhi - 110 011
4. The Controllerate of Inspection Electronics
Post Box No. 606
Bangalore - 560 006
5. Shri M.S. Padmarajaiah
Central Govt. Stng Counsel
High Court Building
Bangalore - 560 001

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

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

~~APPEAL~~ passed by this Tribunal in the above said Review application

on 2-12-87

RECEIVED 9/12/87 *OCN*

Diary No. 1480/02/87

Jr Date: 18-12-87

Encl: as above.

[Signature]
DEPUTY REGISTRAR
(JUDICIAL)

OC

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 2ND DAY OF DECEMBER, 1987.

PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy, .. Vice-Chairman.

And

Hon'ble Mr. P. Srinivasan, .. Member(A).

REVIEW APPLICATION NUMBER 53 OF 1987

Balwant Singh Ruprai. .. Applicant.

v.

The Secretary, Ministry of Defence

& 2 others. .. Respondents.

(By Sri M.S. Padmrajaiah, Standing Counsel)

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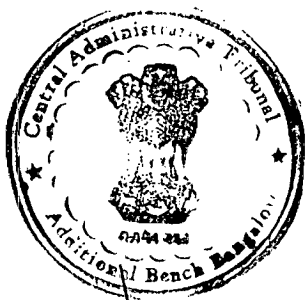
This application having come up for hearing this day, Vice-Chairman made the following:

ORDER

ORDER

In this application made under Section 22(f) of the Administrative Tribunals Act, 1985 ('the Act') the applicant has sought for a review of an order made by a Division Bench of this Tribunal disposing of his Application No. 775 of 1986 on 9-2-1987.

2. Application No. 775 of 1986 which was a transferred application from the High Court of Karnataka, was heard and decided by a Division Bench of this Tribunal consisting of one of us (Sri P. Srinivasan, M(A) and Sri Ch. Ramakrishna Rao, rejecting certain claims and granting certain reliefs to the applicant in the manner indicated in that order. The applicant has asserted that the said order had placed him a worse



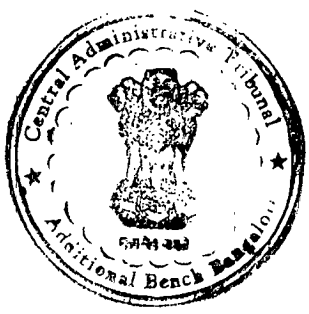
position from the one he held before he approached the High Court. Sri Balwantsingh Ruprai, the applicant appeared in person and highlighted this aspect at great length.

3. Sri M.S.Padmarajaiah, learned Senior Central Government Standing Counsel appearing for the respondents in our opinion, very rightly does not dispute that the order of this Tribunal had placed the applicant in a worse position than the one he earlier occupied.

4. We need hardly say that when a party approaches a Court or a Tribunal and seeks for certain reliefs on the basis of the case pleaded by him, an order to be made by a Court or a Tribunal cannot place him in a worse position than the one he earlier occupied. We have no doubt that the order made by this Tribunal had resulted in such a position and suffers from a patent error. If that is so, then, it is our bounden duty to recall the same and restore the original application to its file and re-hear the same.

5. In the light of our above discussion, we allow this application for re-view, recall the order made by this Tribunal on 9-2-1987 in A.No.775 of 1986 and direct that the same be restored to its original file for disposal according to law.

6. Review Application allowed with no order as to costs.



- True Copy -

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

Sd/-
VICE-CHAIRMAN
27/12/1987

Sd/-
MEMBER(A)