

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

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Commercial Complex(BDA)  
Indiranagar  
Bangalore - 560 038

Dated : **10 APR 1989**

REVIEW APPLICATION NO (S) 16 / 89  
IN APPLICATION NO. 1819/88(F)  
W.P. NO (S) \_\_\_\_\_

Applicant (s)

Respondent (s)

Shri S. Parthivan  
To

V/s The Secretary, Dept of Telecom, New Delhi & 4 Ors

1. Shri S. Parthivan  
Upper Division Clerk  
Office of the Chief General Manager  
Telecommunications  
Karnataka Circle  
Maruthi Complex  
No. 327, Vth Main  
Gandhinagar  
Bangalore - 560 009

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/~~STAY~~/~~INTERIM ORDER~~  
passed by this Tribunal in the above said <sup>Review</sup> application(s) on 31-3-89.

*9.5.89  
K. S. S. S.  
15/4/89*

*dc*  
DEPUTY REGISTRAR  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
BANGALORE

DATED THIS THE THIRTY FIRST DAY OF MARCH , 1989 .

Present : Hon'ble Justice Sri K.S.Puttaswamy Vice-Chairman

Hon'ble Sri L.H.A.Rego

Member (A)

REVIEW APPLICATION No.16/89.

S.Pamhivan,  
UDC, O/o the  
Chief General Manager  
Telecom, No.327, Vth Main,  
Maruthi Complex,  
Gandhinagar,  
Bangalore - 9.

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Applicant

vs.

1. Union of India  
represented by its Secretary,  
Department of Telecom,  
No.20, Sanchar Bhavan,  
Asoka Road,  
New Delhi - 1.

2. Chief General Manager,  
Telecommunications,  
Karnataka Circle,  
No.327, Vth Main,  
Maruthi Complex,  
Gandhinagar,  
Bangalore - 9.

3. Director General,  
Central Government Health Scheme,  
D wing, 5th Floor,  
Nirman Bhavan,  
New Delhi-1.

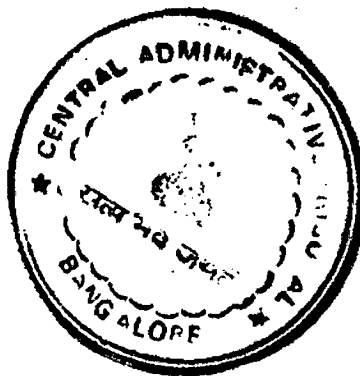
4. The Chief Medical Officer,  
Presently Deputy Director,  
Central Government Health Scheme,  
No.21/2, 2A, IXth Main,  
IIIrd Block West,  
Jayanagar,  
Bangalore - 11.

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Respondents

This application having come up before the  
Tribunal today, Hon'ble Vice Chairman made the  
following :

...2/-



ORDER

1. In this application made under Section 22(3)(f) of the Administrative Tribunals Act, 1985, (the Act), Sri Parthivan, the applicant has sought for a review of our order made on 2.3.1989 dismissing his application No.1819/88.

2. In A.No.1819/88, the applicant had contested the recovery of a sum of Rs.543/- detailed in para 6 of our order. One Sri L.Srikanta Rao, Advocate argued the case on behalf of and in the presence of the applicant exhaustively for more than two hours. On hearing Sri Srikanta Rao and the learned counsel for the respondents we dictated our order in the open court dismissing the said application.

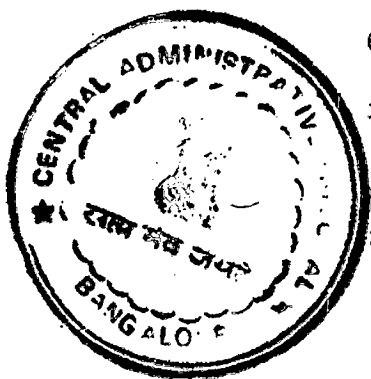
3. But the applicant who claims that he had "discovered" thereafter, important matter/ evidence, which was not within his knowledge and therefore could not be produced, by him earlier despite due diligence on his part has now presented this review application, which is nearly twice in length as compared to his original application as it runs to 12 pages. He appeared in person and argued his case.

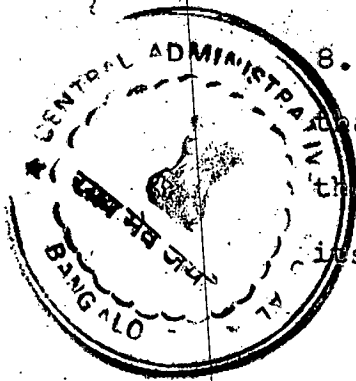
4. We have carefully perused the review application and considered the submissions of Sri Parthivan.

5. We are of the view that every one of the facts and the documents now relied upon by him therein, is nothing but a repetition of what was stated by him earlier, and they do not constitute discovery of new and important matter of evidence, which after exercise of due diligence was not within his knowledge when he filed the application and an order thereon was made by us. On this short ground alone, the review application is meritless and calls for its dismissal in limine by us.

6. Every one of the grounds urged by him in this review application does not disclose a patent error of facts and/or law, as to justify review under Section 22(3)(f) of the Administrative Tribunal Act 1985 read with Order 47 Rule 1 of the Civil Procedure Code.

7. We notice that this is truly a case, where "he to whom more is granted than is just, wants more than is granted" - cui plus licet quam par est plus vult quam licet, as the applicant is making fetish of a trivial claim of Rs. 543/- when the Government has been more than liberal, in reimbursing medical expenses to him, to the tune of thousands of rupees. The applicant should realise, in this context, that the secret of contentment, is wanting what one has, and not having what one wants.





8.

In the light of the foregoing, we hold that this application wholly bereft of merit. We, therefore, reject the same at the admission stage itself, without notice to the respondents.

sdl-

VICE CHAIRMAN

21-3-74

sdl-

MEMBER (A)

1-5-99

an.

TRUE COPY

*[Signature]*  
DEPUTY REGISTRAR (JDL)  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE

