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THE CENTRAL ADMINISTRATIVE TRIBUNAL, BOMBAY BENCH

Review Petition No. 102/92

IN

O.A. No. 515/91

Ramkrishna Bhagandas Upadhyay Applicant

Versus

Union of India and others Respondents.


Hon'ble Mr. Justice U.C. Srivastava, V.C.

Hon'ble Mr. M.Y. Priolkar, Member (A)

Dt. 23-7-92.

(By Hon'ble Mr. Justice U.C. Srivastava, V.C.)

The review application is directed against our judgment and ordered dated 9.3.92. The case was heard and disposed of after counsel for the both the parties. Scope of review application is limited. Review application can be entertained if there is any error apparent on the face of the record. In our opinion there is no error much less apparent error in our judgment. The impugned order was passed on 17.9.87 and Ramjan Khan case was decided in 1990. Much before decision in Ramzan Khan case the plea of violation of principles of natural justice in not giving report of enquiry officer had been taken in the case. Even prior to it a full Bench of the Central Administrative Tribunal in the P.L. Sharma case, (1988) ⁶ A.T.C. Page 904) had already taken the same view. In this view the plea that retrospective effect to Ramzan Khan case which has neither amended the Administrative Tribunal's Act or curtailed the powers and jurisdiction of the Tribunal or abated the pending cases in which such a plea has been taken, has been given is without substance. The review application is without any merit and is summarily rejected.


Member (A)


Vice Chairman

Dated: 23rd July, 1992

(mdp)