

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
MUMBAI BENCH, MUMBAI.

Review Petition No.41/96
in
Original Application No.1182/92.

Roopkumar H.Nihalne. ... Applicant.

V/s.

Union of India & Ors. ... Respondents.

Coram: Hon'ble Shri B.S.Hegde, Member(J),
Hon'ble Shri M.R.Kolhatkar, Member(A).

ORDER ON REVIEW PETITION BY CIRCULATION

(Per Shri B.S.Hegde, Member(J)) Dt. 20.2.1996

This application has been filed for seeking review of the order dt. 8.8.1995 by which O.A. 1182/92 was dismissed after hearing both the parties.

2. We have seen the Review Petition. We are satisfied that this application can be disposed of by circulation. The applicant has sought review of the judgment on the following grounds :

- (1) that the claims preferred by the applicant has not been looked into by the Tribunal and the same appears to be error apparent on the face of the record.
- (2) that the petitioner was considered in the Departmental Promotion Committee from 1985-1990, but the said proceedings has not been adduced during the course of hearing.
- (3) that the petitioner belonged to ST community by virtue of SC/ST order 1960 and 1976. The SC/ST order was only a continuation thereof, thus it could not have been stated that the petitioner came to belong to ST only from 1979 onwards.

3. All these contentions have been dealt with in our Judgment at paras 5, 7, 8 and 9. Therefore, it is clear that the applicant has not made out any

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case for review. All the contentions raised in the Review Petition has been considered while disposing of the O.A. Therefore, the Review Petition cannot be utilised for re-arguing the same, on the same ground.

4. In the light of the above, as mentioned in the Judgment, we have considered that the explanation given by the Respondents in recognising his status as ST after production of required documents is just and proper. We further find that neither any error apparent on the face of the record has been pointed out nor any new facts have been brought to our notice calling for a review of the original judgment. The grounds raised in the Review Petition are more germane for an appeal against our judgment and not for review. The Review Application, is therefore, dismissed by circulation.

M.R. Kolhatkar

(M.R. KOLHATKAR)
MEMBER (A)

B.S. Hegde

(B.S. HEGDE)
MEMBER (J).

B.