

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

R.P.99/95 in O.A.760/92.

Umashankar Tiwari ... Applicant

v/s.

Union of India and Others ... Respondents

CORAM: Hon'ble Shri B.S.Hegde, Member (J).

Hon'ble Shri M.R.Kolhatkar, Member (A).

APPEARANCE:

Shri G.S.Walia, Counsel
for Applicant.

Shri J.G.Sawant, Counsel
for Respondents.

TRIBUNAL'S ORDER ON REVIEW PETITION

NO.99/95 in O.A.No.760/92.

DATED : 5-10-95

X Per Shri M.R.Kolhatkar, Member (A) X

In this review petition against the judgement dated 27/10/94, the original applicant who has filed the review petition has sought review of our judgement on the main ground that the applicant had got allotment of quarter of type-I in 1981 and he was entitled to type-II quarter and the mere fact that the applicant initially got allotment of a quarter of type-I though he was entitled to quarter of type-II and that he had left territorial army should not lead to the consequence of the deletion of his name from the waiting list for type-II quarter for the essential category staff. The next contention is that any type of incentive once granted on fulfillment of the requirement of the term, cannot be withdrawn later. Applicant has alleged that the exclusion of his name was not done by Competent Authority but by an employee who was prejudiced against him and who did not take similar action in respect of other employees discharged from territorial army. It is further urged that the exclusion of the name of applicant was not intimated

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to the applicant and thereby his right to get his name registered in non-essential category is also infringed amounting to violation of Principles of Natural Justice.

2. We have considered the submissions in the review petition, some of the submissions are in the nature of new grounds not earlier urged. The review petition however does not bring out that there has been any error apparent on the face of the record in our judgement or any other satisfactory reason in terms of rules under order 47 of CPC. We therefore find the review petition to be without merit and therefore dismiss the same. We do so by circulation as is provided under the rules.

M.R.Kolhatkar

(M.R.KOLHATKAR)
MEMBER (A)

B.S.Hegde

(B.S.HEGDE)
MEMBER (J)

abp.