

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

O.A. NO: 600/92 199
T.A. NO:

DATE OF DECISION 28.7.1992

SHRI B.B.SINGH, Bombay Petitioner

D.V.GANGAL Advocate for the Petitioners

Versus

CHIEF OF NAVAL STAFF, NAVAL
HEAD QUARTERS, NEW DELHI. Respondent

MS.MASURKAR FOR MR.MASURKAR Advocate for the Respondent(s)

CORAM:

The Hon'ble Mr. JUSTICE S.K.DHAON, Vice-Chairman

The Hon'ble Mr. M.Y.PRIOLKAR, MEMBER (A)

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

(S.K.DHAON)
V/C

mbm*

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL

BOMBAY BENCH

ORIGINAL APPLICATION NO: 600/92

Shri B.B.Singh, Bombay.

.... Applicant

v/s

Chief of Naval Staff, Naval
Head Quarters, New Delhi.

.... Respondents

CORAM : HON'BLE MR.JUSTICE S.K.DHAON, Vice-Chairman

HON'BLE MEMBER SHRI M.Y.PRIOLKAR, MEMBER (A)

Appearance :

Mr.D.V.Gangal, Adv.
for the applicant

Ms. Masurkar for
Mr. Masurkar, adv.
for the respondents.

ORAL JUDGEMENT

28th JUL 1992

(PER : JUSTICE S.K.DHAON, Vice-Chairman)

On 23rd May 1988, the Rear Admiral [redacted] Superintendent passed an order removing the applicant from service. On 7th December 1991, the applicant preferred a review application under Rule No.29 of CCS(CCA) Rules, 1965 to the Chief of Naval Staff. No order has been passed on the said application so far. The applicant has approached this Tribunal by means of this application under Section 19 of the Administrative Tribunals Act, 1985. The only point pressed at this stage is that the Chief of Naval Staff may be directed to dispose of the application dated 7.12.1991. We find that the Rule 29 confers the power of revision upon the Chief of Naval Staff and not review. It appears that the word "review" has been wrongly used by the applicant in his application dated 7th December 1991.

2. The Chief of the Naval Staff shall treat the application dated 7th December 1991 as the application seeking the revision of the order passed by the Rear Admiral Superintendent. He shall proceed ~~on the assumption~~ that the application has been filed under Rule 29. He shall dispose off the same on merits and in accordance with the law as expeditiously as possible, but not beyond a period of three months from the date of representation of a certified copy of this order by the applicant before him. The applicant is permitted to transmit the certified copy of this order to the Chief of Naval Staff under registered post acknowledgement due. With

3. With these directions, this application is disposed of finally. There will be no order as to costs.


(M.Y.PRIOLKAR)
M/A


(S.K.DHAON)
V/C

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