IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, GULESTAN BUILDING NO. 6
PRESCOT ROAD, FORT, MUMBAI 400 001.

REVIEW PETITION NO. 88/96 IN O.A. NO. 1456/95.

Dated this 10th day of September 1996.

CORAM : 1) Hon'ble Shri B.S. Hegde, Member (J)
2) Hon'ble Shri P.P. Srivastava, Member (A)

Shri S.B. Rajbhar ... ... Applicant

v/s

Union of India & Ors. ... ... Respondents

Tribunal's order (By circulation)
Per: Shri B.S. Hegde, Member (J).

This Review Petition is filed by the applicant seeking review of the order of the Tribunal dated 2nd August 1996. The Tribunal after hearing the parties disposed of the O.A. stating that we do not find any cause of action since the disciplinary authority has not passed any final orders after completion of the enquiry proceedings; accordingly, it was held that the application is found to be premature and the same was dismissed without going into the merits of the same at admission stage itself.

2. It is a well settled principle that a review of the order of the Tribunal can be entertained on the discovery of a new and important matter or an evidence which after exercise of due deligence was not within the knowledge of the person seeking review or could

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not be produced at the time when order was made or where some mistake or error apparent on the face of the record is found. As stated earlier, since the O.A. itself was treated as premature without going into the merits, the question of any error apparent on the face of the record does not arise. In the result, we do not find any merit in the R.P. and the same is therefore dismissed by circulation.

(P.P. Srivastava)
Member (A)

(B.S. Hegde)
Member (J)

ssp.