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BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
GULESTAN BLDG.NO.6,PRESCOT RD, 4TH FLOOR..
MUMBAI - 400 001.

REVIEW PETITION NO.97/96 in
ORIGINAL APPLICATION NO.566/95.
DATED THIS 30th DAY OF Oct 1996.

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

Anil G Shakkarwar,
Assistant Collector of Customs,
New Customs House,
Ballard Estate,
Bombay - 400 038.

... Applicant/Review
Petitioner.

v/s,

1. Union of India,
through the Secretary,
Ministry of Finance,
Department of Revenue,
North Block,
New Delhi - 110 011.
2. The Secretary,
Central Board of Excise & Customs,
North Block,
New Delhi - 110 011.
3. Shri V.Ramu,
Deputy Collector (P & V),
Office of the Collector of
Central Excise,
121, Nungambakkam High Road,
Madras - 600 034.
4. Shri J.Ramakrishna(Retd)..
Principal Collector,
Central Excise,
Basheer Bagh,
Hyderabad - 500 029.

... Respondents.

X ORDER X

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

| In this Review Petition, the Review Petitioner/
Original Applicant has sought review of my judgement dated 12/9/96
in which partial relief was given namely adverse remarks in the

CR of the Officer for the year 1991-92 at item(a) to be expunged and others were allowed to remain.

2. The main contention of the Review Petitioner is that his prayer for expunction of Adverse Remarks in respect of items(b) and (c) has been turned down by the Tribunal on grounds which are based on imagination and speculation, that the Tribunal did not consider the ground of challenge that mere comments on the "resume" cannot be treated as Adverse Remarks and there is an error of law committed by the Tribunal in reading of the Full Bench decision in V.Pallamraju v/s. Union of India.

3. I have considered the grounds and I am of the view that the present review petition is in the nature of an appeal against the judgement impugning the legality or validity of the judgement and is not relatable to the review jurisdiction as contained in the rules under order 47 of CPC. The review petition is therefore not tenable and is therefore rejected.

4. However, in para-4(h) of the review petition, it has been pointed out that there is a minor typographical error in para-10 of the judgement, in that the respondent No.2 has been described as Central Board of Direct Taxes whereas the respondent No.2 is Central Board of Excise and Customs.

5. It is directed that the typographical error in para-10 of the judgement be corrected and a copy of the judgement so corrected should be sent to the parties.

The Review Petition therefore stands rejected except for the correction of typographical error mentioned in para-4 above.

abp.


(M. R. KOLHATKAR)
MEMBER (A)