

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Order : 28.9.94.

RA 77/93 in
OA 821/89

BADDU Bhai

v/s.

UNION OF INDIA & ORS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, MEMBER (J).
HON'BLE MR. O.P. SHARMA, MEMBER (A).

For the Applicant

... SHRI SHIV KUMAR,
brief holder for
Shri J.K. Kaushik.

For the Respondents

... SHRI MANISH BHANDARI.

ORDER

(PER HON'BLE MR. GOPAL KRISHNA, MEMBER (J).)

Applicant Baddu Bhai has filed this application u/s 22(f) of the Administrative Tribunals Act, 1985 read with Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987, seeking a review of the order dated 26.7.93, made in OA 821/89. The operative portion of the order reads as follows :-

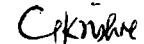
"In conclusion, we hold that the orders of the disciplinary authority and the Appellate Authority do not suffer from any basic infirmity and the findings of both the authorities are consistent with the evidence against the applicant and in view of the gravity of the misconduct the penalty imposed was justified. We, therefore, dismiss this OA. There shall be no order as to costs."

2. The contention of the applicant is that this Tribunal seriously erred in holding that the service card is the basic document in regard to casual labour. It is further contended that there was no evidence to establish that the card was fabricated in the absence of a Service Card Register, which was not maintained by the administration. It is further stated in the review application that the admission of the applicant as to the non genuineness of the service card was obtained under duress. These points were raised on behalf of the applicant during the course of arguments while deciding the OA in question and were duly examined and considered

by this Tribunal. The power of review can be exercised on discovery of new and important matter or evidence which, after exercising due diligence, could not be known to the person seeking review and as such could not be produced by him at the time when the order was made. It may be exercised if there is any error apparent on the face of the record. It may also be exercised on any other analogous ground but the power of review cannot be exercised on the ground that the order was erroneous on merits.

3. We find no grounds for reviewing the order in question. This review application is, therefore, dismissed with no order as to costs.


(O.P. SHARMA)
MEMBER (A)


(GOPAL KRISHNA)
MEMBER (J)