

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Order : 12.9.95.

FA No.39/95 (OA No.85/95)

B.H. Tolani and R.S. Jain

... PETITIONERS.

VERSUS

Union of India and others

... RESPONDENTS.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

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

O R D E R


PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN


Petitioners, B.H. Tolani and R.S. Jain, have filed this petition u/r 17 of the Central Administrative Tribunal (Procedure) Rules, 1987, for review of the order dated 12.3.95 in OA 85/95 on the ground that this matter has been decided at the stage of admission without any order or decision on the important aspects of the matter mentioned in paras (1) to (10) of this petition and, therefore, the order deserves to be reviewed.

2. It has been stated in the order under review that it is for the administration to decide in the exigencies of work and smooth running of administration of the hospital that the Ministerial, Clerical or Supervisory staff attached to the hospital should also work six days a week. No question of discrimination vis-a-vis the administrative staff of the branches would arise in this context. It has been admitted by the petitioners that they also work 40 hours a week during the six days working at par with the official working in administrative offices who also work 40 hours a week over a five days working period. Thus, the question of discrimination against the petitioners does not arise. A review may be allowed on three specific grounds, namely; (i) discovery of new and important matter or evidence which, after exercise of due diligence, was not within the knowledge or could not be produced by the petitioner at the time when the order was passed, (ii) mistake or error apparent on the face of record, and (iii) for any other sufficient reason. It has not been stated in this petition that the order discloses some error apparent on the face of record. We find that the order, that was passed, was justified in view of the facts that came before us. The grounds stated in the Review Petition do not fall within the purview of Order XLVII Rule 1 of the Code of Civil Procedure.

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3. This Review Petition is, therefore, dismissed in limine.


(O.P. SHAPMA)
MEMBER (A)


(GOPAL KISHNA)
VICE CHAIRMAN

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