

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

R.A.No.59/95 Dt. of order: 17.10.95

S.D.Shastri : Applicant

vs.

Union of India & Ors. : Respondents.

CORAM:

Hon'ble Mr.O.P.Sharma, Member (Adm)

Hon'ble Mr.Ratan Prakash, Member(Jud1)

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

This Review application has been filed by 'Shri S.D.Shastri, applicant in O.A.No. 344/95 seeking a review of the order passed on 19.9.1995 by a Bench of the Tribunal consisting of Hon'ble Mr.O.P.Sharma, Member(A) and Hon'ble Mr.Ratan Prakash, Member(J), by which the applicant's prayer for grant of reliefs contained in an M.A. filed by him was rejected. In the review application, the applicant has raised various grounds for seeking a review of the order of rejection of the prayer for interim relief. It is not necessary to dwell on those grounds at this stage. However, in the review application, the applicant has made allegations against Hon'ble Mr.O.P.Sharma amongst others of adopting double standards with regard to the hearing of the matter on 19.9.1995 and getting the case posted before the Bench of which he was a Member while the matter could also have been heard by a Bench of which he was not a Member. He has prayed in para 11 of the review application that

the applicant has no hope of getting justice if the review application is considered and decided by the Bench of which Hon'ble O.P. Sharma is a Member. He has also, therefore, prayed that the Bench of Hon'ble Mr.O.P. Sharma, is Member should withdraw from adjudication of this review application, in keeping with the principles of natural justice.

2. Under Rule 17(2) of the Central Adm. Tribunal (Procedure) Rules, a review application shall ordinarily be heard by the same Bench which has passed the order unless the Chairman, for reasons to be recorded in writing directs it to be heard by another Bench. In the circumstances of the present case, we are of the view that this review application should not be heard by a Bench consisting of Hon'ble Mr.O.P. Sharma, Member(A) and Hon'ble Mr.Ratan Prakash, Member(J) which had passed the order dated 19.9.1995 rejecting the applicant's prayer for grant of interim relief. The matter may be placed before the Hon'ble Chairman for seeking his instructions in terms of Rule 17(2) of CAT (Procedure) Rules.


(Ratan Prakash)

Member(J).


(O.P. Sharma)

Member(A).

Copy of R.A. 59/95 & copy of order dated 17.10.95 in R.A. 59/95 sent

to the Principal Benches, New Delhi.

(O/L in part B)

dated. 20/11/95

v. No 5820