

FORM NO. 4

(See Rule 42)

In The Central Administrative Tribunal

GUWAHATI BENCH : GUWAHATI .

ORDER SHEET

Review APPLICATION NO. 17/98 (51/98) OF 199

Applicant(s) Union of India

Respondent(s) Akhil Chandra Ray

Advocate for Applicant(s) Mr. S. Ali, S.C.G. Se.

Advocate for Respondent(s)

Notes of the Registry	Date	Order of the Tribunal
<p>This Review Application is filed by Mr. S Ali, Sr. S. C.G.S.C. on behalf of respondents with a prayer review the judgment & order dtd. 17.8.98 passed by this Hon'ble Tribunal. Laid for favour of further orders.</p> <p><i>[Signature]</i> 24/1/99 SECTION OFFICER</p>	<p>1.1.99</p> <p>pg</p> <p>29.1.99</p> <p>pg</p> <p>16.2.99</p>	<p>List on 29.1.99 for admission along-with M.P.293/98.</p> <p><i>[Signature]</i> Vice-Chairman</p> <p>List on 16.2.99 for admission along-with M.P.293/98.</p> <p><i>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p> <p>List it on 24.2.99 for admission alongwith M.P.293/98.</p> <p><i>[Signature]</i> Member</p> <p><i>[Signature]</i> Vice-Chairman</p>






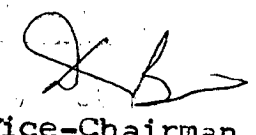
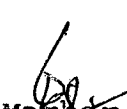
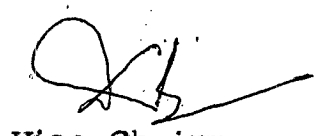

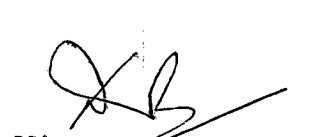
trd


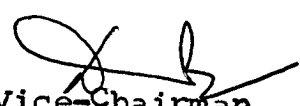
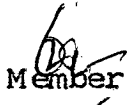



24/2/99

2

2 (2)

R.A.No.17/98

Notes of the Registry	Date	Order of the Tribunal
	24.2.99	Let this case be listed on 26.2.99 alongwith Misc. Petition No.293/98.
	nkm	Member  Vice-Chairman 
	MS 25/2/99	
	26.2.99	List on 9.3.99 for order alongwith M.P.293/98.
	pg	Member  Vice-Chairman 
	9.3.99	Adjourned to 23.3.99 BFO A
1.1.99 Means of Appearance has been filed by the respondents. Pro	23.3.99	List on 22.4.99 for order alongwith M.P.293/98.
	pg	Member  Vice-Chairman 
	MS 24/3/99	
	22.4.99	List on 10.5.99 for order alongwith M.P.293/98.
	pg	Member  Vice-Chairman 
	MS 23/4/99	
	10.5.99	List on 8.6.99 for order alongwith M.P.293/98.
	pg	Member  Vice-Chairman 

Notes of the Registry	Date	Order of the Tribunal
	3-6-99	Let this case be listed on 30-7-99 alongwith M.P.293 of 98 for hearing. <div style="display: flex; justify-content: space-around;"> <div>  Member </div> <div>  Vice-Chairman </div> </div>
lm	30-7-99	Division Bench is not available. Case is adjourned to 24-9-99 for hearing. <div style="text-align: right;">  Member </div>
pg	24-9-99	To be listed alongwith mp 293/ 98 on 24.11-99. <div style="text-align: right;">B/O</div>
	24.11.99	In view of the order passed in Misc. Petition No.293/98 this Review Application is deemed to be filed in time. Mr A. Deb Roy, learned Sr. C.G.S.C. prays for a short adjournment to obtain instructions. Mr M. Chanda, learned counsel for the opposite party has no objection. Accordingly the case is adjourned till 10.12.99 for admission. <div style="display: flex; justify-content: space-around;"> <div>  Member </div> <div>  Vice-Chairman </div> </div>
nkm	10.12.99	Two weeks time allowed to receive instructions on the prayer of Mr A.Deb Roy, learned Sr.C.G.S.C for the petitione -r. List on 5.1.2000 for admission. <div style="text-align: right;">  Vice-Chairman </div>
pg		

Notes of the Registry	Date	Order of the Tribunal
	5-1-2000	On the prayer of Mr.A. Deb Roy, Sr. C.G.S.C. case is adjourned to 4.2.2000.
lm		<div> <div>Member</div> <div>Vice-Chairman</div> </div>
	4.2.2000	On the prayer of Mr A. Deb Roy, learned Sr.C.G.S.C the case is adjourned to 15.2.2000.
pg		<div> <div>Member</div> <div>Vice-Chairman</div> </div>
	15.2.00	On the prayer of Mr A. Deb Roy, learned Sr. C.G.S.C. the case is adjourned till 18.2.00 for admission.
nkm		<div> <div>Member</div> <div>Vice-Chairman</div> </div>
	18.2.00	Application is admitted. Issue usual notices. Returnable by 21.3.00. No stay. List on 21.3.00.
mk		<div> <div>Member</div> <div>Vice-Chairman</div> </div>
	21.3.2000	Mr M.Chanda, learned counsel for the opposite party prays for two weeks time to file objection. Prayer allowed. List on 7.4.2000 for order.
pg		<div> <div>Member</div> </div>

Requisite copy has
not been filed.

By
25.2.00.

25/2/2000

Notes of the Registry

Date

Order of the Tribunal

7.4.00

No objection has been submitted.
List for hearing on 26.5.00.

Member
Member

lm

26.5.00

There is no Bench today.
Adjourn to 21.6.00. *By*
h.

objection has not been
filed.

21.6.00

There is no Bench today.
Adjourn to 14.7.00. *By*
h.

14.7.00

The case is adjourned and posted
for hearing ~~on~~ at the request of learned
counsel for the respondents, on 8.8.00.

Member (A)
Member (A)

nkm

8.8.00

There is no Bench. Adjourn
to 13.9.00. *By*
h.

13.9.00

no Bench to be list on
21.11.00. *By*
h.

21.11.00

Present: Hon'ble Mr. Justice D.N. Chou-
dhury, Vice-Chairman.

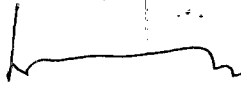
This is an application for review of
the judgment and order dated 17.8.99
passed by this Tribunal in O.A.No.51 of
97. The opposite party applicant assai-
led the order dated 8.2.96 imposing
penalty by the Disciplinary Authority.
The Review applicant did not file the
written statement. The Tribunal decided
the case in favour of the applicant on

contd/-

By
13.7.00.

21.11.00

the basis of uncontroverted pleadings. In this application the applicant has assailed the impugned order on the ground that the review applicant's case was not duly placed before the Tribunal by the counsel for the review applicant though the counsel was instructed in this regsr. In other words the legality of the order is challenged as erroneous. The aforementioned ground cannot be a ground for review of an order. It would have been a good ground for an appeal, but not in review. A Review is permissible to correct an error apparent on the face of the record, or from the discovery of new and important matter or evidence which after the exercise of due diligence was not within the knowledge or could not be produced by the aggrieved persons when the order was made or for any other sufficient ground. The expression 'sufficient ground' is to be read ejusdem generis. A Review is not permissible on ground of discovery of evidence on question of fact. The Review application bears no merit and accordingly the same is dismissed; there shall however no order as to costs.


Vice-Chairman

lm


21/11

21/11/2000

Copy of the order
has been sent to the
D/Sec. for issuing the
line to the L/Advocate
for the parties.