

CENTRAL ADMINISTRATIVE TRIBUNAL, JABALPUR BENCH, JABALPUR

Review Application No. 91 of 2000

(In O.A. No. 783/2000)

Jabalpur, this the 15th day of December, 2003

Hon'ble Shri M.P. Singh, Vice Chairman  
Hon'ble Shri G. Shanthappa, Judicial Member

1. Union of India,  
Through the Secretary,  
Ministry of Communications,  
Department of Telecom, Sanchar  
Bhavan, 20, Ashoka Road,  
New Delhi - 110 001.

2. The Chief General Manager,  
Telecom Factory,  
Wright Town,  
Jabalpur - 482 002.

... Applicants

(By Advocate - Shri B.da.Silva)

V e r s u s

Shri D.J. Mukherjee,  
Aged about 58 years, S/o.  
Late Shri S.P. Mukherjee,  
Progressman Grade I, Office of  
the Chief General Manager,  
Telecom Factory, Wright Town,  
Jabalpur.

... Respondent

(By Advocate - Shri S.K. Nagpal)

O R D E R (Oral)

By G. Shanthappa, Judicial Member -

The above review application is filed to review the order dated 23rd October, 2000 passed in OA No. 783/2000.

2. This Tribunal has passed the order in the said OA at the admission stage itself without issuing the notice. Now the respondents in the OA (applicants in the RA) are bringing new facts which were not available on record before the Tribunal. The case of the applicants in this case are that the charge sheet which was already in their record was not brought to the notice of this Tribunal by the original applicant

(respondent in the RA). Hence the review applicants have

filed this review application for reviewing the earlier order passed by the Tribunal. If the original respondents are not heard before passing the order in the OA, the same is violation of principles of natural justice. This is a good ground to challenge the order of the Tribunal in appeal. Now the review applicants want to submit their record which are available on record by filing this review application and also they want to reopen the OA by this RA. If now some new facts are brought on record by way of a review application, this Tribunal cannot consider the same. If the applicants want to challenge the said orders of the Tribunal passed in OA No. 783/2000 on 23rd October, 2000, he shall approach the appropriate forum. Accordingly, the applicant has not made out any case for reviewing the order.

3. The scope of review under the powers of review ~~is~~ ~~is~~ as follows :

"Any clerical or arithmetical mistakes in orders or errors arising therein from any accidental slip or omission may at any time be corrected by the Court either of its own motion or on the application of any of the parties."

4. As there is no clerical or arithmetical mistakes or errors on the face of the record, we find that there is no ground made out for reviewing the Tribunal's order. Accordingly, the review application is rejected.

*G. Shanthappa*  
(G. Shanthappa)  
Judicial Member

*M.P. Singh*  
(M.P. Singh)  
Vice Chairman

पृष्ठकन सं ओ/न्या.....जबलपुर, दि.....  
पसिलिपि गाजोडित:-

- (1) रजिस्ट्रार जनरल, जबलपुर  
(2) सहायक रजिस्ट्रार, जबलपुर  
(3) सहायक रजिस्ट्रार, जबलपुर  
(4) सहायक रजिस्ट्रार, जबलपुर

सूचना के अधीन है।

*B. Desai*  
18/12/07

"SA"

*Forwarded*  
*18/12/07*