

CENTRAL ADMINISTRATIVE TRIBUNAL
GUWAHATI BENCH :::: GUWAHATI -5.

ORIGINAL APPLICATION NO. _____

MISC PETITION NO. _____ (O.A.NO. _____)

REVIEW APPLICATION NO. 1/95 (O.A.NO. 204/94)

CONT. PETITION NO. _____ (O.A. NO. _____)

L. C. Dhar

APPLICANT(S)

VERSUS

Modi DAS

RESPONDENT(S)

Hon'ble R. N. Dhar

Advocate for the
Applicant.

Advocate for the
Respondents

Rly. Counsel

Office Note

Court Orders

2-1-95

12.1.95

Hon. R. N. Dhar, Advocate
has filed an application
on 30.12.94 u/s 22(3)(F)
of the ATC Act, 1985
with a prayer to varied
the order dated 2-11-94
passed in O.A 204/94
by the Hon'ble V.C.L
Hon'ble Member (A)

The order was
communicated on 23-11-94
Vide D/NO. 4709-4716
and the same is received
by the applicant on
2-12-94. Hence this applica-
tion is within time.

Laid for further
orders.

2/1/95

The grounds raised in this
petition are mostly relating to the
questions of facts. Such questions
cannot be reopened under the guise of
review application when the Original
Application was rejected principally
on the ground of limitation. Refer-
ence is made by the learned counsel
to grounds No. IV and V in para 7 of
the application in particular. Those
are also relating to the questions of
facts. The only ground stated in
para 5 of the application is that the
Original Application was not barred
by limitation as a representation
was submitted by the applicants on
23.6.94 after publication of the
provisional seniority list on 15.6.94
which they could legally file and
that afforded a cause of action for
filing the application which has been
ignored by the Tribunal while holding
that the application was barred by

Deputy Registrar (S)
Central Administrative Tribunal

Guwahati Bench

21/11/95

contd...

OFFICE NOTE

COURT ORDERS

12.1.95

limitation. In this connection w/ it will be seen from para 2 of the judgment, that the circumstance that the representation was filed on 26.3.94 was duly considered by us and we took the view that even so the application was beyond time under Section 21 of the Administrative Tribunals Act, ^{even} ~~being~~ assuming that our view is wrong that does not amount to an error apparent on the face of the record or to raise a ground which would afford a ground for review. We decline to enter into controversy ^{on} of merit of the Original Application as the review application is not found maintainable as it does not disclose any ground for review.

Hence the application is rejected.



Vice-Chairman



Member

pg

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