

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

**RA NO.285/2015
IN
OA NO.3213/2015**

New Delhi this the 6TH day of November, 2015

**HON'BLE MR. JUSTICE B.P. KATAKEY, MEMBER (J)
HON'BLE MR. K.N. SHRIVASTAVA, MEMBER (A)**

V.K. Bahuguna
Former Director General, ICFRE
Aged about 61 years,
R/o Flat No.A-101,
Jagdambe Apartment,
C-58/25 Opposite TOT Mall,
Near Fortis Hospita
Sector -62, Noida-201309,
Uttar Pradesh.

...Review Applicant

VERSUS

1. Ministry of Environment,
Forest & Climate Change
Through:
Secretary,
Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road,
New Delhi-110 003.
2. Cabinet Secretary
Through:
Cabinet Secretary
Government of India
Rashtrapati Bhawan,
New Delhi-110004.

....Review Respondents

ORDER (BY CIRCULATION)

HON'BLE MR. JUSTICE B.P. KATAKEY, MEMBER (J):

This Review Application has been filed under Rule 17 of
Central Administrative Tribunal (Procedure) Rules, 1987 seeking

review of the order dated 16.09.2015 passed by us in OA No.3213/2015, whereby and whereunder, upon consideration of the arguments advanced by the learned counsel for the parties, the prayer for interim relief has been refused.

2. According to the review applicant, the said order needs to be reviewed and recalled and the interim order is to be passed staying the operation of the Memorandum of Charge dated 20.05.2015 and the show cause notice dated 12.11.2013 as an interim measure.

3. The main contention of the review applicant is that the office order dated 04.05.2011 has not been interpreted correctly by this Tribunal while refusing the prayer for interim relief. It has also been contended by the review applicant that the charge memo was issued only to harass and damage his reputation, by levelling certain allegation relating to the period from 2011 to 2013.

4. This Tribunal by the aforesaid order dated 16.09.2015 has considered the submissions whatever advanced by the learned counsel for the parties. It is not the allegation of the applicant that although certain other arguments were also advanced, the same have not been taken into consideration by this Tribunal while passing the aforesaid order dated 16.09.2015. The basic ground for review is that the Office Memorandum dated 05.04.2011 has not been correctly interpreted.

5. The scope of review of an order passed by the Tribunal is limited. The review is permissible only if there are some mistakes or errors apparent on the face of the record or on the ground that because of discovery of new and important matter or evidence, which, even after the exercise of due diligence, was not within his knowledge or could not be produced by him at the time of argument or any other sufficient reason analogous to such ground. The matter cannot be reheard in the guise of Review Petition.

6. In the instant application, as noticed above, the main ground for seeking review is that the Office Memorandum dated 04.05.2011 has not been correctly interpreted, which in our opinion cannot be a ground for review. We also do not find any merit to review our order dated 16.09.2015 on the other grounds taken in the Review Application.

7. Hence, the Review Petition is dismissed by circulation.

(K.N. Shrivastava)
Member (A)

(B.P. Katakey)
Member (J)

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