

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

REVIEW APPLICATION NO. 170/00010/2017
IN
OA. No. 170/0181/2015

DATED THIS THE 26TH DAY OF JULY, 2017

HON'BLE DR K.B. SURESH, MEMBER(J)

HON'BLE SHRI P.K. PRADHAN, MEMBER(A)

1. Director General
Indian Council of Medical Research,
V.Ramalingaswamy Bhavan,
Ansari Nagar,
New Delhi – 110 029.

2. Director
National Centre for Disease Informatics
And Research,
National Cancer Registry Programme-ICMR
Nirmal Bhavan ICMR Complex,
Poojanahalli, Off NH-7,
Kannamangala Post,
Bangalore-562 110.

3. Union of India,
Represented by its Secretary,
Department of Health and
Family Welfare
Ministry of Health and Family Welfare
Nirman Bhavan, C-Wing,
New Delhi-110 001.

4. Union of India,
Represented by its Secretary,
Department of Economics Affairs,
Ministry of Finance, North Block,
New Delhi-110 001.

5. Union of India
Represented by its Secretary,
Department of Personnel & Training,
Ministry of Personnel, PG & Pension,
2nd Floor, Lok Nayak Bhavan,
New Delhi-110 003. ...Review Applicants.

(By Shri M.V. Rao, Sr. Panel Counsel)

Vs.

Sri.M.Rajendra,
 S/o Muniyappa,
 A/a 49 years,
 Driver-cum-Cleaner,
 National Cancer Registry Programme
 KIDWAI Memorial Institute of Oncology
 Bangalore – 560 029
 Now at:
 National Centre for Disease
 Informatics and Research
 National Cancer Registry Programme-ICMR
 Nirmal Bhavan ICMR Complex,
 Poojanahalli, Off NH-7,
 Kannamangala Post,
 Bangalore-562 110.

...Respondent.

(By Advocate Shri Megha Chandra)

O R D E R (ORAL)

HON'BLE DR K.B. SURESH, MEMBER(J)

We heard the learned counsels on the Review Application. All the points raised have been adequately answered in the original order itself. A ground is taken that the relief granted transgresses the parameters of pleadings. It may be so. Adjudicators duty when sitting in jurisdiction of 226 of the Constitution is not bound by the question of pleadings as stipulated under Section 9 of CPC. It is not a vested civil right which is being handed to it but a legal right which has many manifestations, which increases the responsibility of the adjudicator. Therefore, in answer to such responsibility, the pleadings as such will be treated as only parameters for guidance but not as hard rock boundaries. Therefore, there is nothing in the RA.

2. But then on closer examination we found that even this contention of the Review Applicants is not correct, as it is covered by the pleadings in the rejoinder also.

3. Review Application is therefore dismissed. No order as to costs.

(P.K. PRADHAN)
MEMBER(A)

(DR. K.B.SURESH)
MEMBER(J)

vmr.