

CASE NO.:
Review Petition (civil) 1384 of 1993

PETITIONER:
UNION OF INDIA

RESPONDENT:
HARNAM SINGH

DATE OF JUDGMENT: 13/01/1994

BENCH:
M.N. VENKATACHALIAH, CJI & A.S. ANAND

JUDGMENT:
JUDGMENT

IN

Civil Appeal No. 502 of 1993.

1994(1) SCR 118

The following Order of the Court was delivered :

1. We have heard Smt. Shyamla Pappu, learned senior counsel for the respondent who has preferred this review petition. On a consideration of the matter, we find that the grounds raised in support of the review, do not justify our interference with the earlier order 9th February, 1993.

2. However, there is one other aspect which might bear consideration. In the course of the order, it was observed :

"Ordinarily, keeping in view the judgment of this Court in Amulya Chandra Kalita's case [supra], we should have remanded the case to the Tribunal for a fresh disposal because of the fact that the order of the Tribunal was rendered by only one member or to have awaited the decision of some cases pending in this Court in which the validity of the order passed by single member of the tribunal is under consideration....."

3. This statement might be susceptible of an interpretation that: it denudes the efficacy of the pronouncement of this Court in 1991 (2) LLJ 112 : Dr. Mahabal Ram v. Indian Council of Agricultural Research and Others to which reference was not made at the hearing of the main appeal. It is, therefore, appropriate that the observations, excerpted above, are deleted from the order. They are, accordingly, deleted, lest there be scope for any such misunderstanding.