

Court No. - 8

Case :- CIVIL MISC REVIEW APPLICATION DEFECTIVE No. - 218 of 2023

Applicant :- Gyanendra Singh

Opposite Party :- The Chief Managing Director, Rastriya Ispat Nigam Limited, Vishakhapatnam And 3 Others

Counsel for Applicant :- Aparana Rai

Hon'ble Pankaj Bhatia,J.

Order on I.A. No.1 of 2023:

1. The application seeks condonation of delay in filing the review application.
2. Heard.
3. Cause shown is sufficient.
4. Delay in filing the review application is condoned.
5. The application is accordingly ***allowed***.

Order of Review Application:

6. Present review application has been filed seeking review of the judgment dated 19.04.2023 passed in Writ - A No.4136 of 2022.
7. The said judgment was also challenged by the petitioner by filing SLP (Civil) Diary No(s).18288 of 2023, which was disposed off on 14.08.2023, and thereafter, the present review application has been filed.
8. The averments made in the writ petition are reiterated in the review application. The said averments were clearly dealt with in the judgment dated 19.04.2023; the review application on the same grounds would not lie.
9. Learned counsel for the petitioner further relies upon an Office Memorandum dated 08.03.2019 wherein a provision was made in respect of regular employees that their transfer shall be considered on exceptional circumstances on compassionate grounds viz.: on serious medical grounds of the employee or the dependent family members, to the place, where spouse is working, employees due for retirement in one year or any other deserving grounds of compassion.

10. Even in terms of the said OM, there is no right vested in the petitioner seeking transfer. This Court had already granted liberty to the petitioner to move an appropriate application seeking transfer. As such, no reason exists for review of judgment dated 19.04.2023.

11. The review application lacks merit and is accordingly ***dismissed.***

Order Date :- 11.10.2023

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