

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No. 144/04 in OA No. 2304/2002

New Delhi, this the 24th day of June, 2004

Hon'ble Shri Justice V.S. Aggarwal, Chairman
Hon'ble Shri S.K. Naik, Member(A)

Purushotham Dass .. Applicant
(Shri A.K. Behera, Advocate)

versus

Union of India & Others .. Respondents

ORDER (in circulation)

Shri S.K. Naik

This RA has been filed on behalf of the applicant against the order dated 9.3.2004 by which OA 2304/2003 was allowed to the extent that the benefit of JAG would be available from 1.1.1996 to DANIPS with all consequential benefits. Review is sought on the plea that there is an error apparent on the face of record in that the Tribunal has dismissed the OA on the ground that no date was mentioned in the order dated 2.6.1995 for implementation of the decision to create JAG DANIPS. According to the review applicant, the Tribunal has also not taken note of another order of the same date i.e. 2.6.1995 by which not only a decision to create JAG in DANIPS had been taken but also 14 posts were already available on the said date.

2. It appears that the review applicant has failed to appreciate the exact contents of the second order dated 2.6.1995, which is only a communication from the Ministry of Home Affairs addressed to Secretary(Home), Govt. of NCT of Delhi to undertake an exercise for identification

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of more posts for grant of 3rd grade and intimate the result thereof as early as possible. Thus, it cannot be wrongly construed that sanction to create JAG posts was accorded w.e.f. 2.6.1995, particularly when a notification was issued on 6.8.2003 by the Government giving effect to the creation of JAG posts from 1.1.1996, mention of which has already been made in para 16 of our order dated 9.3.2004.

3. Thus, we do not find any error on face of record as alleged by the review applicant. Resultantly, the present RA must fail and is accordingly dismissed under Order 47, Rule 1 CPC read with Section 22(3)(1)(f) of Administrative Tribunals Act, 1985.

Naik

(S.K. Naik)
Member (A)



(V.S. Aggarwal)
Chairman

/gtv/