

**CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH**

MA/310/00645/2017 (in)(&) RA/310/0017/2017 in OA/310/01294/2012

Dated the 3rd day of March Two Thousand Twenty

P R E S E N T

**Hon'ble Mr.P.Madhavan, Member(J)
&
Hon'ble Mr.T.Jacob, Member(A)**

1. Union of India, rep by
The Secretary,
M/o Electronics & Information Technology,
Electronics Niketan,
No.6, C.G.O. Complex,
Lodi Road, New Delhi 110003.
2. The Director General (STQC Dte.),
M/o Electronics & Information Technology,
Electronics Niketan,
No.6, C.G.O. Complex,
Lodi Road, New Delhi 110003.
3. The Deputy Director,
STQC Directorate,
M/o Electronics & Information Technology,
Electronics Niketan,
No.6, C.G.O. Complex,
Lodi Road, New Delhi 110003.
4. The Director,
Electronics Test & Development Centre,
STQC Directorate,
M/o Electronics & Information Technology,
Chennai 600 041. .. RA Applicants/OA Respondents

By Advocate **Mr.C.Kulanthaivel**

Vs.

1. Kamal J.P.Lakra,
35/6, CPWD Quarters,
Besant Nagar,

Chennai 600 090.

2. R.Sathyaranarayanan,
Scientist-D,
Electronics Test & Development Centre,
STQC Directorate,
M/o Electronics & Information Technology,
Chennai 600 041. .. RA Respondents/OA Applicants

By Advocate **Mr.Menon, Karthik, Mukundan & Neelakantan**

ORDER
[Pronounced by Hon'ble Mr.P.Madhavan, Member(J)]

MA 645/2017 for condonation of delay of 120 days in filing RA 17/2017 is allowed.

2. The respondents in OA 1294/2012 have filed this RA 17/2017 seeking review of the order passed by this Tribunal in the above said OA dated 05.1.2017 and set aside the same.

3. This Tribunal had disposed of the OA with the following directions to the RA applicants:-

“10.....In such view of the matter, we are of the view that the ends of justice would be met in this case if the applicant is given a fair consideration for one more time either against the year 2007 as prayed in the amended relief or against the year 2008 for screening by granting the grace period of 3 months for the residency period as granted to the other employees in the Ministry and if he qualifies at the Level 1 he should be provided with one more opportunity to Level 2 screening interview. The respondents shall comply with the above direction within a period of three months from the date of receipt of a copy of this order. The OA is disposed of with the above directions with no order as to costs.”

4. According to the RA applicants, when they took steps to implement the order of the Tribunal, it was found that the OA applicants were found to be eligible as on 01.1.07 for promotion to the post of Scientist-E. They were found eligible after giving grace period and they were considered. So, according to the RA applicants, the applicants in OA have already been considered for the year 2007 and 2008, but this fact was not stated before the Tribunal. But the OA applicants failed to get through the Level 1 screening. The above fact has to be taken note of and the RA

applicants seeks a review of order.

5. The RA respondents appeared and filed a detailed counter submitting that RA is not maintainable. There is no averment that a new or important matter or evidence is found out and it is also necessary to plead that the said matter or evidence was not within its knowledge, and even after exercise of due diligence, the same could not be produced before the Tribunal earlier.

6. We have carefully gone through the order passed and the grounds put forward by the RA applicants. A mere omission to plead a particular fact by RA applicants cannot be considered as a ground for review. There is no merit in this RA and it is liable to be dismissed.

7. Accordingly, RA is dismissed.

(T.Jacob)
Member(A)

(P.Madhavan)
Member(J)

03.03.2020

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