

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

R.A. NO. 78/2003 IN OA 1050/2001

NEW DELHI THIS. 24/3/2003 DAY OF MARCH 2003

HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER (A)

Dinesh Chandra Applicant/Respondent

VERSUS

Union of India & Anr.... Respondents/Applicants

O R D E R

BY HON'BLE SHRI GOVINDAN S. TAMPI, MEMBER(A)

Petitioner filed RA No. 78/2003 seeking ~~to~~ recall and review of my order dated 31.1.2003 passed by me while disposing of OA No. 1050/2001 . Applicant in this RA is respondent in the OA.

2. O.A. No. 1050/2001 filed by Dinesh Chandra was allowed by me by order dated 31.01.2002 with the following remarks:

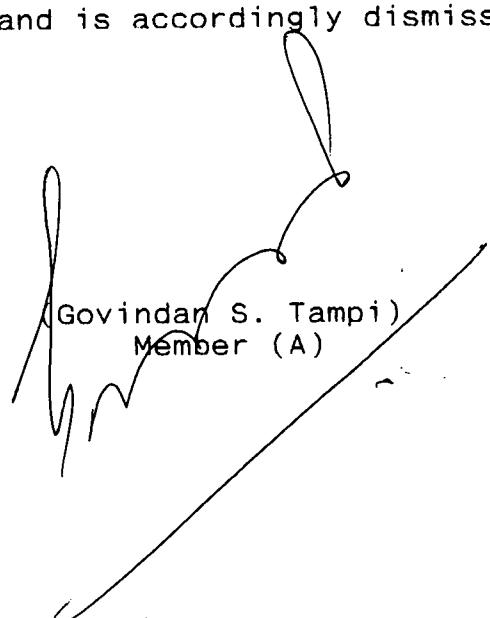
"3. On consideration of the matter, I am convinced that the applicant has a case. Having been duly engaged and granted temporary status, to deny him regularisation in accordance with the rules in turn, was incorrect, more so as persons identically placed - Hari Sharan and Shjadi Ram , engaged after him - have been given regularisation. The ban on recruitment applied in their case as well, but in the eyes of the respondents it did not dis-entitle them from getting regularisation. This was total discrimination and it cannot be justified on the ground that they were engaged as casual plumbers. The applicant should not have been denied regularisation and the in-action of the respondents has to be assailed.

4. In view of the above, the OA succeeds and is allowed with the directions to the respondents to consider the case of regularisation of the applicant in accordance with law w.e.f. 24.10.86 i.e. the date on which S/Shri Hari Sharan & Shadi Ram who joined CPWD as Casual Workers after him were regularised. No costs."

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5. The R.A. is only seeking to re-argue the whole matter on merits. No error apparent on the face of the record has been brought out, RA therefore does not fall within the scope of Rule 22(3) (5) of AT Act and order No. 47 under Rule 1 CPC. I am also fortified in the above decision by the directions of the Hon'ble Supreme Court in the case of Avtar Singh Sekhon Vs UOI & Others [AIR 1980 SC 2041]. R.A. therefore having no merit and is accordingly dismissed.



Govindan S. Tampi
Member (A)

Patwal/