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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

R.A. NO. 271/2002 IN CA 3454/2001
New Delhi This 02-01-2003
HON'BLE SHRI GOVINDAN S TAMPI, MEMBER (A)

Jasbir Singh and 3 others Applicants

VERSUS

UOI & 2 others Respondents

O R D E R

R.A. 271/2002 has been filed seeking the review and recall of my order dated 3.5.2002 passed on OA 3454/2001. The Review applicant has also filed MA No. 2485/2002 for condonation of delay and MA 2486/2002 for hearing.

2. MA 2485/2002 for condonation of delay is allowed in the interest of justice.

3. The circumstances of the cases do not warrant grant of hearing. MA 2486/2002 is disallowed.

4. I have considered the matter. OA No. 3454/2001 filed by six persons (Kendrapal, Arun Saxena, Jasbir, Babulal, Satish Kumar and Ramphool) seeking grant of temporary status with respondents organisation has been disposed of by me on 3.5.2002 holding that only one of the applicants (applicant No. 2 Arun Saxena) was eligible for grant of the same as he had only completed the requisite period of 206 days in 5 days week in a year. The four out of other five applicants in the same OA have come up in this RA indicating that there was a error appear on the face of record warranting review and recall. What is being pointed out in this RA is that the other individuals have also completed the requisite period and their case also was on the same footing as that of Arun Saxena applicant No. 2 whose

case was allowed. The review applicants do not deny that the records do not show that they have not completed 206 days but state that it was the responsibility of the Tribunal to consider public holidays /Sundays etc. also alongwith the days the individual actually put in, to show that they should be considered. But they have not been able to show that in any particular year which was under consideration any of the four persons had completed the requisite period of 206 days. That being the case by extending or stretching the period by adding other days , I could not thus direct the respondents to consider the case of the other applicants as well. This is exactly what the review applicants seek. Evidently therefore what is being sought is the re-appreciation of the evidence and the same does not fall within the purview of the review petition. RA is not a substitute for a OA.

5. R.A. being devoid of any merit is dismissed.

Patwal/

Govindan S. Tampli
Member (A)