

(29)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

R.A.No.199/2001.

IN

OA No.2149/99

New Delhi: this the 29th day of MAY, 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A).

HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Karam Singh & Ors. Review Applicants.

Versus

UOI & Ors. Review Respondents.

ORDER (BY CIRCULATION)

S.R. Adige, VC (A):

Perused RA No.199/2001 filed on 27.4.2001 seeking review of the Tribunal's order dated 26.3.2001 in OA No.2149/99.

2. In that OA applicants impugned seniority list dated 9.1.98 and had sought a direction to respondents to prepare the seniority list in accordance with the Tribunal's judgment in OA No.1473/89 which had been stated to have upheld by the Hon'ble Supreme Court in SLP No.15106/91.

3. After completion of pleadings the OA came up for hearing on 26.3.2001. None appeared for applicant on that date even on second call. Shri A.K. Bhardwaj appeared for respondents and was heard.

4. The Bench in its oral order dated 26.3.2001 noted that the Tribunal's order in OA No.1473/89 was an order relating to the Custom & Central Excise Deptt. while the impugned seniority list dated 9.1.98 related to the Telecom Deptt., which according to Shri Bhardwaj had been prepared by respondents in compliance of the Hon'ble Supreme Court's judgment dated 8.7.97 in CAS No.3207-3210 of 1995 I.K.Sukhija & Ors. Vs. UOI & Ors.

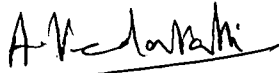
A

5. As there was none on behalf of applicants to dispute this averments of respondents, the same were accepted and the OA was dismissed by order dated 26.3.2001.

6. Now in the RA, after attempting to explain applicants' absence on 26.3.2001 when the OA came up for hearing, it has been stated that respondents have wrongly interpreted the Hon'ble Supreme Court's judgment in I.K.Sukhija's case (supra).

7. Whether respondents have wrongly interpreted the Hon'ble Supreme Court's judgment in I.K.Sukhija's case (supra) or not, while preparing the impugned seniority list dated 9.1.98 is not a valid ground for seeking review of the Tribunal's order dated 26.3.2001 within the purview of Section 22 (3) (f) A.T.Act read with Order 47 Rule 1 CPC.

8. RA rejected.


(DR. A. VEDAVALLI)
MEMBER (J)


(S. R. ADIGE)
VICE CHAIRMAN (A)

/ug/