

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

OA 199/99
RA 424/2000

New Delhi, this the 22 day of December, 2000

Hon'ble Mr. Justice V.Rajagopala Reddy, VC (J)
Hon'ble Sh. Govindan S. Tampi, Member (Admn)

In the matter of :-

Sh. K.K.Bhardwaj & Ors.

V E R S U S

UOI & Ors.

O R D E R (BY CIRCULATION)

Sh. Govindan S. Tampi.

Seen

2. By this R.A., the applicant seeks to have the order dated 2-11-2000 passed in OA No. 199/99, stating that a glaring factual error has crept in the order and that the Tribunal had not correctly interpreted the relevant O.M. of the DOPT. On perusal of the points raised in the OA, it is seen that the R.applicant holds that the Tribunal was wrong in drawing the inference that the deputationists (respondents No. 3 & 4) were holding analogous posts in their parent organisation, before deputations. This submission is incorrect as the respondents were definitely holding computer related posts, which were analogous to what they came to occupy on deputation. That the designation of the posts was different does not detract from the fact that the posts were analogous, before and after the deputation. That being the case, the assignation of seniority to them was strictly in terms of DOPT's OM dated 3-10-89. Tribunal's findings are based on facts. With regard to the ground urged by the applicant that the

Tribunal's interpretation was wrong, it has to be recorded that the interpretation of the OM, was based on correct appreciation of facts as brought out on records, and if the applicants are aggrieved with the same, they can agitate the issue and seek their remedy in appropriate higher fora.

3. We hold that the applicant has not made out any case for recall or review. The review application is, therefore, dismissed as being devoid of any merit, in circulation.

(Govindaraj S. Tampi)
Member (A)

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(V. Rajagopala Reddy)
Vice-Chairman (J)