

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

RA.21/95 in OA.434/94

Dated this the 3rd April, 1995.

Hon. Shri N.V. Krishnan, Vice Chairman(A)
Hon. Dr. A. Vedavalli, Member(J)

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1. C.D. Bhatia,
S/o Late Shri Mani Ram,
R/o 870/7, Govindpuri,
New Delhi.
2. Sohan Singh,
S/o Shri Banta Singh,
R/o Flat No.10, F-4,
Sector-15, Rohini,
New Delhi.
3. Sri Bhagwan,
S/o Shri Kashi Ram,
R/o Flat No.10, F-4,
Sector-15, Rohini,
New Delhi.
4. Brahm Singh,
S/o Shri Ram Singh,
851/7, Govindpuri,
New Delhi
5. R.S. Kaim,
S/o Shri Krishan Lal,
R/o F-170, Vill-Khanpur,
New Delhi.
6. R. Sanehwal,
S/o Late Shri Nachhatar Singh,
G.304, Preet Vihar,
Delhi.
7. Mangat Ram Bali,
S/o Shri Amar Dass,
R/o G-222, Nanakpura,
New Delhi.
8. R.V. Singh,
S/o Shri C. Ram,
R/o C-5A/161, Janakpuri,
New Delhi.

...Applicants

By Advocate: Shri S.K. Dubey.

versus

1. Union of India through
Secretary,
Ministry of Personnel,
Public Grievances and Pensions,
North Block, New Delhi.

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2. Establishment Officer and
Additional Secretary,
Department of Personnel & Training,
North Block, New Delhi.
3. Director (Central Services),
Department of Personnel & Training,
Lok Nayak Bhawan, New Delhi. ...Respondents

By Advocate: None.

O R D E R (Oral)

(By Shri N.V. Krishnan)

We have heard him.

2. The main ground for review is that subsequent to our order dated 31.10.94 disposing of the OA, an order had been passed by the Supreme Court of India on 16.11.94 in CA.No.4026/88 (U.P. Raiya Vidyut Parishad SC/ST Karamchari Kalyan Sangh versus U.P. State Electricity Board & Ors., as a result of which, an error can be held to have occurred in our order. That order is referred to in the final order dated 23.11.94 of the Supreme Court (Annexure RP-1). That order of 16.11.94 reads as follows:-

"We have concluded the hearing of arguments. We are prima facie in agreement with the contention of the learned counsel for the appellant that there has to be a separate zone for consideration so far as SC/ST candidates are concerned. Clubbing the Scheduled Caste with the general category in the same zone of consideration would defeat the very purpose of reservation. Mr. B.Sen, learned senior counsel appearing for the Board, states that he would like to place the matter before the Board and seek further instructions from the Board."

Hence a review of our order is sought, as we have held therein that the extended zone of consideration of SC/ST has to be reckoned from the last general candidate who was appointed.

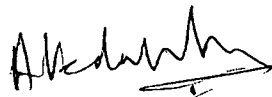
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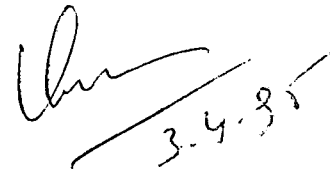
3. On 9.3.95, we wanted the learned counsel to argue whether under the Code of Civil Procedure this is a recognised ground for review. The learned counsel fairly conceded today that the answer is in the negative.

4. In the circumstances, we find that no good ground has been raised justifying the review. Hence the R.A. is dismissed.



(Dr. A. Vedavalli)
Member(J)

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3.4.95

(N.V. Krishnan)
Vice Chairman(A)