

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

R.A. NO. 323/1995

in  
O.A. NO. 292/1994

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New Delhi this the 29<sup>th</sup> day of December, 1995.

HON'BLE SHRI N. V. KRISHNAN, ACTING CHAIRMAN  
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

1. Nirmal Sikdar S/O Panchanan Sikdar,  
R/O D-II-223, West Kidwai Nagar,  
New Delhi.
2. S. Krishnan S/O A. N. Srinivasan,  
R/O D-II/187, West Kidwai Nagar,  
New Delhi.
3. T. R. Malakar S/O T. K. Malakar,  
R/O D-II/196, Kaka Nagar,  
New Delhi. ... Applicants

( By Shri S. Y. Khan, Advocate )

-Versus-

Union of India through  
Secretary, Ministry of  
Information & Broadcasting,  
Shastri Bhawan,  
New Delhi. ... Respondent

O R D E R (By Circulation)

Shri N. V. Krishnan, Acting Chairman —

O.A. 292/1994 filed by the applicants was allowed with certain declarations and directions by the order dated 29.9.1995. The applicants had challenged the impugned orders on many grounds one of which was that there was an ambiguity in recruitment rules. We found that there was no such ambiguity and that in terms of the rules both promotion and transfer on deputation could be considered simultaneously by the respondents.

2. This review application is directed against that finding. It is stated that the applicants could not draw our attention to office memorandum dated 3.10.1989 of the Department of Personnel (Annexure RA-2) on the subject of "Procedure to be followed in the cases

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where appointments should be made by transfer on deputation/transfer basis". It is stated that in that circular it is provided that "where the field of promotion is adequate, that is, there are adequate number of sanctioned posts in the feeder grade, promotion is provided as the first method or certain percentage of vacancies earmarked for promotion and certain percentage for appointment by transfer on deputation or direct recruitment."

3. We have seen that circular with particular reference to the above extract. We are of the view that this circular has no application to the rules we have actually considered in this case. Hence, no case has been made out for review on the basis of this circular.

4. In the circumstances, the review application is dismissed.

A. Vedavalli  
29/12/95  
( Dr. A. Vedavalli )  
Member (J)

N. V. Krishnan  
28.12.95  
( N. V. Krishnan )  
Acting Chairman

/as/