

10

CENTRAL ADMINISTRATIVE TRIBUNAL:PRINCIPAL BENCH.

RA NO. 339/94
in
OA No. 1097/94

New Delhi this the 7th day of December, 1994.

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

Shri C.J. Roy, Member(J).

P.P. Aggarwal

... Petitioner.

Versus

Union of India

... Respondent.

ORDER (By Circulation)

Shri N.V. Krishnan

OA.1097/94 filed by the applicant was dismissed by our order dated 19.8.1994. The applicant seeks review of this order.

2. We have seen the Review Application. We are satisfied that it can be disposed of by circulation and we proceed to do so.

3. It was held in the O.A. that the case of the applicant for ad hoc appointment was rejected after it was considered by the respondents in accordance with para 1 of the instructions contained in OM dated 30.3.1968 of the Department of Personnel. A screening committee found that he was not found fit for promotion and, therefore, he was given ad hoc promotion in respect of the post for which the normal procedure for promotion is by selection. The applicant has referred to a number of decisions of this Tribunal and stated that the view taken by us is contrary to the views taken in those judgements which should not have been ignored.

u

4. In the first place these judgements were not brought to our notice at the time of arguments. Secondly, from what is stated in the Review Application in respect of these judgements, we do not find any merit in that ground. The review applicant has referred to the judgement of the Supreme Court in Gurdyal Singh Fiji Vs. State of Punjab AIR 1979 SC 1622. This judgement was not referred to us at the time of arguments. The other judgement of the Supreme Court in Dharamvir Singh Tomar Vs. Administrator, Delhi Administration & Ors. (1991)17 ATC 925 referred to in the review application has also been discussed by us in this order.

5. We do not find that any error apparent on the face of the record has been brought to our notice to justify review. R.A. is, therefore, dismissed.

W.S. Roy
(C.J. Roy)

Member(J)

N.V. Krishnan
(N.V. Krishnan).

Vice Chairman(A)

'SRD'