

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A. NO. 371/94 in
O.A. No. 1016/94

(A)

New Delhi, this the 28th October, 1994

Hon'ble Shri J.P. Sharma, Member (J)

Hon'ble Shri B.K. Singh, Member (A)

Shri Ram Kishan,
s/o Shri Kareri Lal,
working as DSKP-III in
the office of
Dy. Chief Engineer/EP
Northern Railway,
Baroda House,
New Delhi.

R/o 617, Krishi Kunj,
Indarpuri,
New Delhi.

... Applicant

By Advocate: Shri P.M. Ahlawat

Vs.

Union of India through

1. General Manager,
Northern Railway,
Baroda House,
New Delhi.

2. Chief Track Engineer,
Northern Railway,
Baroda House,
New Delhi.

... Respondents

By Advocate: Shri H.K. Gangwani

ORDER

Hon'ble Shri J.P. Sharma, Member (J)

The Review applicant while working as D.S.K.P.
Grade III in Northern Railway, Baroda House filed the
O.A. against the order dated 6.4.94 and he has prayed
that the selection for the post of DSKP-II be quashed
and the applicant be considered for promotion to DSKP-II
on regular basis on the basis of Railway Board instruc-
tions dated 7.11.85.

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2. After hearing the counsel of the parties and porusing the pleadings and documents on record, the application was dismissed as devoid of merit with reasons given in the body of the judgement. In the Review application, the applicant has not taken any ground to substantiate that there is any error apparent on the face of the judgement and that it calls for review. In para 3 of the Review application the applicant has referred to certain contentions which were also placed during the course of the arguments by the learned counsel representing the applicant and those have already been considered in the body of the judgement. The contention of the applicant that the instructions laid down in para 4 of the Board's letter dated 7.11.85 are fully applicable to his case is not acceptable. It is mentioned in para 4 that if an employee has already entered the post of ASK scale Rs.425-700 on the basis of selection, he will be exempted from appearing in the selection for promotion to the post of DSK Gr.II (Rs.550-750). The documents on record go to show that the applicant did not pass the selection of ASKP scale Rs.425-700 and he was promoted only on seniority-cum-suitability as his name was not placed in the panel of 1975 and does not figure in the panel. The applicant has no other case.

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3. A review does not lie for re-opening of a case or to again rely on the rejected arguments with reasons in the judgement. The applicant has no case for review. The Review application is therefore dismissed by circulation.


(B.K. SINGH)
MEMBER(A)


(J.P. SHARMA)
MEMBER(J)

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