

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No.15/2000 in OA No.195/96

New Delhi, this 13th day of January, 2000

Hon'ble Shri Ashok Agarwal, Chairman
Hon'ble Smt. Shanta Shastri, Member(A)

Munishwar Sharma
Mechanic-cum-caretaker
c/o Admn. Officer(EI)
Dte. of education, Delhi-54 .. Review applicant

(By Shri Narender Kumar, proxo for Shri Naresh Kaushik)

versus

1. Dhani Ram
272/18, Heera Nagar, Khanda Road
Gurgaon
2. Tulsi Das Manchanda
K120A, West Patel Nagar, New Delhi
3. D.R.Harplani
E-212, DS, Ramesh Nagar, Delhi
4. Hari Ram Gupta
186, Block 11, DS, Deva Nagar,
New Delhi
5. Union of India, through
Chief Secretary, Govt. of NCT of Delhi
5, Shamnath Marg, Delhi
6. Secretary (Edn.)
Govt. of NCT of Delhi, Delhi
7. Director Education
Old Sectt., Delhi
8. Laxmi Narain Sharma
Mechanic-cum-caretaker
Dte. of Education, Delhi .. Respondents

ORDER(oral)

Hon'ble Shri Justice Ashok Agarwal

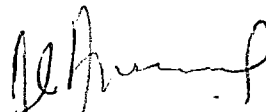
This is a Review Application filed in OA No.195/96. The review applicant is Respondent No.4 in the OA. By the present application, he seeks review of the order passed by this Tribunal in OA 195/96 decided on 3.11.99. For the sake of convenience, parties will be described in the manner they are arrayed in the OA.

2. Respondent No.4 (review applicant herein) and Respondent No.5 in the OA have been appointed on ad hoc basis when rules for recruitment had not been framed. After the rules for recruitment were framed, their services were absorbed on regular basis. Further they were given

regular appointment retrospectively from the date of their initial appointment, thereby adversely affecting the seniority of the applicants in the OA. The absorption of Respondents No.4 and 5 on regular basis retrospectively from their initial date of appointment and the seniority list based on the said retrospective absorption were impugned in the OA.

3. In the judgement and order disposing of the OA, reliance has been placed in the case of Y.H.Pawar V. State of Karnataka & Anr. 1996(2) SCSLJ 43 and it has been found that regular appointment cannot be granted to the respondents No.4 and 5 retrospectively from their initial date of appointment. They could be granted appointment on regular basis only after recruitment rules are framed. Hence, we find on merits also no case is made out for review of the aforesaid order.

4. The present review application in the circumstances, we find, is devoid of merit and the same is accordingly rejected.



(Ashok Agarwal)
Chairman



(Smt. Shanta Shastri)
Member(A)

/gtv/