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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No.33/2000 in OA No.2455/1997

New Delhi, this 29th day of January, 2001

Hon'ble Shri Kuldip Singh, Member(J)
Hon'ble Shri M.P. Singh, Member(A)

N.K. Pillai
C-4/C-149, Janakpuri
New Delhi-110058

-- Applicant

(By Shri P.T.S.Murthy, Advocate)

versus

Secretary
Ministry of Labour
Sharam Shakti Bhavan & two others

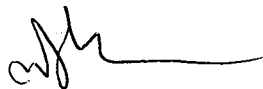
-- Respondents

ORDER(in circulation)

Shri M.P. Singh

Review application is filed on behalf of the applicant for review of the order dated 24.11.2000 by which OA No.2455/1997 was dismissed being devoid of merit and for the detailed discussions made in paras 6 to 8 therein.

2. Review is sought on the ground that applicant's reliance on seniority list as on 1.6.94 showing his date of appointment as 2.8.72 was not discussed. However, we find from the reply to the OA it has been clarified that "while forwarding the details of Junior Computers, the seniority list stated to have been as on 1.6.94 was also inadvertently mentioned which has since been rectified. Thus the applicant is trying to mislead the Tribunal by mentioning the seniority list stated to have been issued on 1.6.94". This point was already taken care of by us while deciding the case though it was not mentioned in the judgement. However this was not going to make any difference in our conclusion as the fact remains that the applicant failed to agitate the issue of seniority in

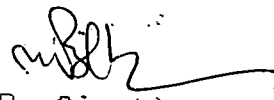


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1987 itself before any judicial forum. Again the applicant himself has mentioned against col.1 of his OA as "seniority list of Junior Computers as on 30th December, 1996" and therefore he should have no grievance on that count.

3. That apart, as per settled law of the apex court, any change in the seniority position of the applicant after a gap of 14 years would adversely affect the position of others who have not been impleaded as necessary parties.

4. In view of this position, we feel that the applicant has not made out a legally valid case warranting review of our order supra. In the result the RA is dismissed.


(M.P. Singh)
Member(A)


(Kuldip Singh)
Member(J)

/qtv/