

Central Administrative Tribunal
Principal Bench

RA 248/99
in
OA 1907/95

(24)

New Delhi this the 14th day of December, 1999

Hon'ble Smt. Lakshmi Swaminathan, Member(J).
Hon'ble Shri S.P. Biswas, Member(A).

In the matter of:

N.K. Jain,
Stenographer (Gr.I),
RZ-5, Santosh Park,
Uttam Nagar,
New Delhi-110059.

... Applicant.

Versus

1. Union of India through
Secretary,
Ministry of Finance,
Department of Revenue,
North Block,
New Delhi.
2. The Director General of Income Tax(Admn.),
7th Floor, Mayur Bhawan,
Connaught Place,
New Delhi.
3. The Director of Income Tax (RSP&PR),
6th Floor, Mayur Bhawan,
Connaught Circus,
New Delhi.
4. Shri Rajender Pershad,
Stenographer,
F-562, Kotla Mubarkpur,
Krishna Gali,
New Delhi.

... Respondents.

ORDER (By circulation)

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

This is a Review Application filed by Respondent 4, Shri Rajender Pershad in the application (OA 1907/95) filed by Shri N.K. Jain which has been disposed of by Tribunal's order dated 12.10.1999.

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2. We have carefully considered the aforesaid Review Application. The review applicant has prayed for review of the order dated 12.10.1999 and has sought a clarification. In Paragraph 7 it has been submitted that by giving wrong interpretation to certain impugned orders in the O.A., the respondents 1 to 3 are proposing to disturb the inter-se seniority of applicant/respondent no. 4 vis-a-vis to the petitioner Shri N.K. Jain and thereby denying the applicant the right to be considered for promotion to the higher grade despite the fact that applicant/respondent no. 4 entered into the service of respondents on 27.6.73 as L.D.C. whereas the petitioner (Shri N.K. Jain) entered into service on 15.11.1976. He has, therefore, submitted that he is in any case senior to the applicant in the O.A.

3. From the above averments as well as the other contentions raised in the Review Application which, inter alia, are based on a supposition that Respondents 1 to 3 may give a wrong interpretation to the Tribunal's order, the review applicant has sought further clarifications of the impugned order dated 12.10.1999. As none of these grounds fall within the provisions of Section 22(3)(f) of the Administrative Tribunals Act, 1985 read with Order 47 Rule 1 CPC under which alone the Review Application can be allowed (See, for example, the judgements of the Supreme Court in A.T. Sharma Vs. A.P. Sharma & Ors. (AIR 1979 SC 1047) and Meera Bhanja Vs. Nirmala Kumari Choudhary (AIR 1995 SC 455)), RA 248/99 is rejected.

S. P. Biswas
(S.P. Biswas)
Member(A)
SRD

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member(J)