

(18)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

R.A.No.174/94
in O.A.No.2222/93

New Delhi, this the 12th day of May, 1994.

HON'BLE SHRI P.T.THIRUVENGADAM, MEMBER(A)

Shri Surjit Singh MES No.312905
s/o Late Shri Sardar Jaswant Singh
R/O 187 B, Pocket J&K
Dilshad Garden Delhi-
Working as Draftsman Grade II
G.E.(R&D), Lucknow Road, Delhi.
(By Shri KBS Rajan, Advocate)

..Applicant

Vs.

1. Union of India: through
The Secretary,
Ministry of Defence,
South Block, New Delhi.
2. The Chief Engineer (Delhi Zone)
Delhi Cantt, Delhi.
3. The Chief Engineer,
Western Command, Chandimandir.
4. Garrison Engineer (R&D)
Lucknow Road, Delhi 110054.

..Respondents

(By circulation)

ORDER

HON'BLE SHRI P.T.THIRUVENGADAM, Member(A).

This Review Application has been filed
against the orders passed in O.A.No.2222/93 on 25-3-94.

2. The only ground advanced in support of the
R.A. is that in the case of one Shri S.Chander Chatrath
SK-1 the transfer order was changed to the advantage
of the party. It is alleged that ⁱⁿ the case of Shri
S.Chander Chatrath who was transferred by the order
No.30301/Jan 93/E/C dated 15-10-93, a modification
was issued on 22-2-1994 by keeping the party in a
local station. The consideration shown to this person
has been based on the same grounds as advanced by
the applicant when he had sought cancellation of the
transfer order. It is mentioned that this additional
material could not be procured despite affording
full diligence by the applicant at the time of filing

the O.A. and the facts of case relating to Shri

5. Chandra Chathrath have come to applicant's notice only after the O.A. in this case had been disposed of.

2. The applicant while filing the ^{original} application had mentioned two other cases namely those of Shri Balram Dogra and Shri Ram Pal Singh in para 4.11 of the application. It was his case that the posting orders of these two similarly situated employees had been cancelled. In the ^{counter} affidavit filed by the respondents in reply to para 4.11 it was mentioned that the cancellation of posting in the said cases was made based on merit of cases at appropriate level. In the order passed in this O.A. the issue relating to these two employees alongwith the remarks of the respondents was discussed.

3. It is difficult to accept the additional further material with regard to the alleged discriminatory transfer at the stage when review application has been filed. The applicant should have taken due care in filing the O.A. and included in it whatever material he thought was relevant. Even otherwise keeping in view the remarks of the respondents with regard to the two cases already cited, I do not find any reason to allow the Review Application on the only ground of alleged discrimination.

4. As per order 47 in C.P.C the scope of the review is very limited. The R.A. cannot be made use of ^{as} an opportunity to file an appeal. In the circumstances the R.A. is dismissed.

'MALIK'

P. J. Thiruvengadam
(P.T. THIRUVENGADAM)
Member (A).