

28

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI.

DATE OF DECISION: 27.7.1988.

R.A. No. 95/87.  
O.A. No. 101/86.

Shri Vijay Krishan Sharma .. Applicant  
Union of India ... Respondents.

CORAM:

Hon'ble Mr. Justice J.D. Jain, Vice-Chairman.

Hon'ble Mr. Birbal Nath, Administrative Member.

Applicant present in person.

Shri K.C. Mittal, counsel for the respondents.

JUDGMENT

Oral:- During the course of arguments on this Review Application, the very first thing pointed out by the applicant is that in the concluding portion of our judgment dated 29th July, 1987, we had directed that "respondents 1 and 2 are, therefore, directed to recast the seniority of the applicant vis-a-vis respondents S/Shri Jagpal Singh, A.K. Saxena and A.K. Banerjee and convene a review D.P.C. to consider the claim of the applicant for selection to group 'B' i.e. Senior Technical Assistant (Entomology) etc. as per his seniority." (emphasis added). But the promotion was, in fact, to the post of Assistant Entomologist, Assistant Plant Pathologist and Plant Production Officer which are all group 'B' posts. The learned counsel for the respondents too concedes that this appears to be just a typographical mistake. Under the circumstances, we rectify the mistake and direct that in our aforesaid judgment, the

words "Assistant Entomologist, Assistant Plant Pathologist and Plant Production Officer" shall be substituted in place of the words "Senior Technical Assistant (Entomology) etc."

2. As regards his other grievance that persons who were not eligible for promotion were considered by the respondents, we have scanned the application and we find that no such relief was sought. But even then, in view of the submissions made by the applicant, we have observed in the aforesaid judgment that "the challenge that those who have been promoted by this order were not eligible is found to be without basis as their case for promotion was considered by a duly constituted DPC and it had taken full note that only those with requisite qualifications and experience were empanelled and rota system had broken." Thus, no further directions on the Review Application are called for.

Our order dated 29th July, 1987 stands modified accordingly and will be given effect to by the respondents as such.

27/7/88  
(BIRBAL NATH)  
MEMBER

J. D. Jain  
(J.D. JAIN)  
VICE CHAIRMAN.