

(23)

Central Administrative Tribunal
Principal Bench, New Delhi

Regn. No. RA- 62/89 In
OA-632/87

Date: 7.6.89

Mr. O.F. Richard Petitioner

Versus

Union of India & Ors. Respondents

O R D E R

The petitioner has filed this review petition against the judgement of this Tribunal dated 26.4.1989. In para. 13 of the aforesaid judgement, the Tribunal had observed that this is a fit case in which the applicant's case for ad hoc promotion to the post of Deputy Director of Horticulture should be considered by the respondents sympathetically in terms of para.6 of the Office Memorandum issued by the Department of Personnel on 12th January, 1988. The respondents were directed to comply with the above directions within a period of three months from the date of communication of the order.

2. The petitioner has now brought to our notice that a vacancy in the post of Deputy Director (Horticulture) occurred since 31.1.1989 consequent upon the retirement of Mr. P.B. Chablaney. If that be so, the respondents are bound to consider the case of the applicant for ad hoc promotion without any further directions from the Tribunal.

3. The question whether the applicant is entitled to be promoted retrospectively from 1984, when his name was considered and kept in the sealed cover, had been considered by the Tribunal in the judgement and no new facts have been brought to our notice in this regard.

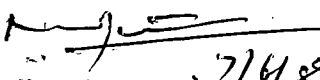
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4. We have carefully gone through the petition and do not see any error apparent on the face of the record. The fact that the applicant is not satisfied with the decision given by this Tribunal would not justify its review. If he is aggrieved by the decision, the appropriate course for him would be to prefer an appeal in the Supreme Court against the judgement. In the circumstances, we see no merit in the present petition.

5. The respondents had been given three months' time to comply with the directions contained in the judgement dated 26.4.1989. They should, therefore, consider the applicant's case for ad hoc promotion to the post of Deputy Director (Horticulture) immediately in the vacancy which is stated to have arisen in that post since 31.1.89. The petition is disposed of with the above directions.


(M.M. Mathur) 7/6/89
Administrative Member


(P.K. Kartha) 7/6/89
Vice-Chairman(Judl.)