

Central Administrative Tribunal  
Principal Bench, New Delhi

Regn. No. RA-66/89 In  
OA-1640/87

Date: 25-8-89

Shri Raja Ram Kumar Sharma .... Petitioner

Versus

Union of India .... Respondents

For the Petitioner .... Mr. Jose P. Verghese,  
Advocate

For the Respondents .... Shri K.C. Mittal, Advocate

CORAM: Hon'ble Shri P.K. Kartha, Vice-Chairman (Judl.)  
Hon'ble Shri M.M. Mathur, Administrative Member.

1. Whether Reporters of local papers may be allowed to  
see the judgement?

2. To be referred to the Reporter or not?

(Judgement of the Bench delivered by Hon'ble  
Shri P.K. Kartha, Vice-Chairman)

The present petition has been filed by the original  
applicant in OA-1640/87 praying that the Tribunal's judg-  
ment dated 4.5.1989 be reviewed and that the application  
may be heard afresh.

2. The applicant in OA-1640/87 had challenged the  
verbal order dated 21.8.1987 issued by the respondents  
whereby his services were terminated. The applicant had  
prayed that the impugned termination be set aside and  
that the respondents be directed to accord to him  
temporary status. After going through the records of  
the case and hearing the learned counsel for both the  
parties, the Tribunal, vide its judgement dated 4.5.1989,  
observed that the facts of the case clearly indicate that  
the applicant was appointed not against a post but was  
engaged for work of seasonal nature on daily wages. The  
regularisation of such a person will be governed by the

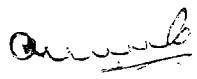
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administrative instructions issued by the Government. The case of the applicant did not fall within the criteria laid down in the Office Memorandum issued by the Department of Personnel on 26.10.1984. There was also no evidence to indicate that the respondents had retained any of his juniors. In view of this, the Tribunal found no merit in the application. The application was dismissed with the observation that in case the respondents needed the services of a person to do the work of a seasonal nature, the applicant should be considered for the same in preference to others.

3. In the present petition, the petitioner has not brought to our notice any fresh facts warranting a review of the judgement dated 4.5.1989. There is also no error apparent on the face of the record. It may be that the applicant is aggrieved by the decision given by the Tribunal. In such a case, the proper course for him would be to prefer an appeal in the Supreme Court against the judgement of the Tribunal and not file a review petition. We see no merit in the present petition and the same is dismissed.

4. A copy of this order may be communicated to both the parties.

  
(M.M. Mathur)  
Administrative Member

  
(P.K. Kartha)  
Vice-Chairman (Judl.)