

Principal Bench, N. Delhi
IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (ALLAHABAD BENCH) ALLAHABAD

Review Application No. 82/93

J.A.N.D.
T.A.N.D.

CA 846/87

OF 1999

Date of decision: 7-4-93

..... Union of India Petitioner

..... Advocate for the petitioner.

Versus

..... P. C. Saxena Respondents.

..... Advocates for the Respondent(s)

CORAM :-

The Hon'ble Mr. Justice U. C. Srivastava, J.C.

The Hon'ble Mr. Miss Usha Saxena, member(A)

1. Whether Reporters of local papers may be allowed to see the judgment ? ☒
2. To be referred to the Reporter or not ? ☒
3. Whether their Lordships wish to see the fair copy of the judgment ? ☒
4. Whether to be circulated to all other Benches ? ☒

NAQVI/

Signature

(12)

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL
BENCH, NEW DELHI

Review Application No. 82 of 1993

In

Original Application No. 846 of 1987

Union of India

.... Applicants

Versus

P.C. Saxena

.... Respondent

CORAM:

Hon. Mr. Justice U.C. Srivastava, V.C.

Hon. Miss. Usha Savara, Member(A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

This belated review application is directed against our judgment and order dated 22.12.92 dismissing the application against the punishment order with certain directions regarding the next promotion post. The case was heard and disposed of after hearing the counsel for the parties. The review application is belated by 73 days. The explanation for delay is very vague and no dates even have been mentioned. The explanation being wholly unsatisfactory, the application is liable to be rejected on this ground.

2. Even otherwise the scope of review application is limited and the same does not permit of hearing of arguments on the same point or setting

an appeal of our own judgment which jurisdiction vests in the Superior courts. This review has been sought on the ground, that the Tribunal has assumed that the punishment period was over although punishment was under stay and was not given effect at all. This is not correct and we have taken note of the fact that punishment order was under stay as there was an order of statusquo. While observing that promotion period is over we took into consideration all these period during which the order of statusquo existed. It may be, that the actual reduction in rank has not taken place but the applicant had to suffer in the matter of promotion and our observation does not exclude this period of stay from counting it towards promotional period of 3 years. There is no error apparent on the face of the record. As such, we do not find any ground to interfere or recall our judgment.

3. Accordingly, this review application has also no merit. It is rejected.

[Signature]
Member(A)

[Signature]
Vice Chairman

Dated: 7th April, 1993:

(Uv)