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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
DELHI.

R.A. No.138/1989

in

O.A. No.1683/1987.

Shri V.P.Saini & Ors. vs. U.O.I. & Ors.

This Review application has been filed by respondent No.6, Shri B.L.Jain in O.A. No.1683/1987 in the case of Shri V.P. Saini & Ors vs. U.O.I. & Ors. He has sought a relief that the backlog vacancies relating to the Limited Departmental Competition quota upto the year 1988 may be filled by promotion on the seniority-cum-fitness basis, whereas the Tribunal in its judgment dated 3.7.1989 has directed that the quota of  $66\frac{2}{3}\%$  to be filled in on the basis of a Departmental Examination to be held every year for the vacancies to be filled for the years 1985, 1986, 1987 and 1988 respectively. The applicant-respondent is, however, continuing on ad hoc basis till the examination is held. It has been represented by Shri B.L.Jain that the seniority will be given to the selected candidates from the year to which the vacancies relate and the seniority so assigned will not be of any benefit to the respondents in the O.A. for they will not be eligible for higher post for want of qualifying service while their juniors promoted against  $66\frac{2}{3}\%$  promotion quota would be considered and given promotion to the next higher grade superseding their seniors appointed against the

Departmental Competition quota. As the applicant-respondent was holding the post of Superintendent, he did not make any attempt to seek the post of Superintendent (Audit & Accounts) by appearing in the Audit and Accounts Examination held in November, 1987, while the applicants availed of the benefit of this examination and got the appointment as Superintendent (Audit & Accounts).

We have examined the Review Application and we find that there has been no discovery of new or important matter or evidence which after the exercise of due diligence was not within the knowledge of the applicant-respondent seeking review or could not be produced by him at the time when the order was made nor there is any mistake or error apparent on the face of in the order of this Tribunal dated 3.7.1989. the record. As such, the Review Application is dismissed.

*B.C. Mathur*  
(B.C. MATHUR) 29.10.90  
VICE-CHAIRMAN (A)  
Oct 29, 1990

*AB*  
29/10/90  
(AMITAV BANERJI)  
CHAIRMAN