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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH,  
NEW DELHI.

R.A. No. 50 of 1994.

in

O.A. No. 137 of 1988.

New Delhi this 21 of March, 1994.

CORAM:

Hon'ble Mr. Justice V.S. Malimath, Chairman  
Hon'ble Mr. S.R. Adige, Member (A)

Union of India through  
Secretary to the Govt. of India,  
Ministry of Defence,  
New Delhi-110 011. ....Applicant.

Versus

Shri S.M. Gupta,  
I-74, Sarojini Nagar,  
New Delhi -110 003 ....Respondent

By circulation.

ORDER

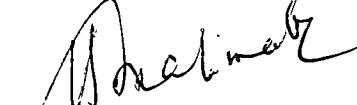
This is an application dated 8.10.93  
filed by the Union of India praying for review  
of the judgment dated 6.8.93 of this Bench of the  
Tribunal in O.A. No. 137 of 1988 'S.M. Gupta Vs.  
Union of India'.

2. It appears that the copy of the judgment  
was issued on 2.9.93 and was received by the  
respondents on 9.9.93. This review application  
is, therefore, within time.

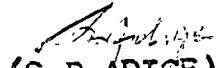
3. The only ground taken in this application  
is that in the said judgment, the Tribunal had  
observed that a provisional seniority list date  
21.6.93 was prepared in pursuance of the directions  
of the Tribunal in its judgment dated 20.11.92 in  
T.A. No. 356/85 (CW No. 3/78 M.G. Bansal Vs. Union of  
India & others) whereas in actual fact, the above  
seniority list was not made in pursuance of the  
directions issued by the Tribunal in M.G. Bansal's  
case (Supra).

4. The Tribunal had recorded in its order dated 6.8.93 that the applicant had no grievance against the directions issued in Bansal's case (Supra), and admittedly the seniority list dated 21.6.93 is a provisional one to which objections had been invited. In the Tribunal's order dated 6.8.93, it has been specifically stated that the respondents shall examine the objections, if any, filed by the petitioner S.M. Gupta and dispose of the same before publishing the final seniority list. Even assuming that the provisional seniority list dated 21.6.93 was not made as per directions issued in Bansal's case (Supra), what is of essence is that the petitioner's objections should be considered before finalising the list. That right of the petitioner remains unaffected. If an incorrect reason is given in support of the direction issued in favour of the petitioner, that cannot <sup>by itself</sup> be a good ground for review.

5. Under the circumstances, this review application is dismissed.



(V.S. MALIMATH)  
CHAIRMAN



(S.R. ADIGE)  
MEMBER (A)

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