

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No.133/1995 in OA No.1684/1988

New Delhi, this 7th day of June, 1995

Hon'ble Shri Justice S.C. Mathur, Chairman
Hon'ble Shri P.T.Thiruvengadam, Member(A)

Dr. A.K. Belwal
s/o Shri Purna Nand
137, Sukhdev Vihar, PO Jamia Nagar
New Delhi-110 025

.. Applicant

versus

Union of India, through

1. Secretary
Planning Commission
Yojana Bhawan, New Delhi
2. Deptt. of Economic Affairs
IES Section, North Block, New Delhi
3. Dr. P.D. Mukherjee
Consultant F.R.,
Planning Commission
Yojana Bhawan, New Delhi
4. Shri S.M.Kelkar
6/62B, Padmadarshan Housing Society
Parvathi Peth, Pune-9 .. Respondents

ORDER(by circulation)

Hon'ble Shri P.T.Thiruvengadam

This review petition has been filed for reviewing the order passed on 29.3.95 in OA No.1684/1988.

2. One of the grounds raised is that the Tribunal had not called for the confidential report file for detailed scrutiny, though in its earlier orders passed on 2.5.94 and 8.7.94, the Tribunal had directed to produce the ACRs. While advancing this ground, the petitioner has also referred to the subsequent order passed on 26.10.94 holding that the "Tribunal is satisfied that no records are required to be produced by the respondents unless the applicant comes out with a case that a particular record has been tampered with and if definite allegations are made, we may require the

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respondents to produce the particular record." This order was made in the context of the Tribunal's observation that a roving enquiry into his service records was being made by the applicant. At the time of passing the final order on 29.3.95, we had again recorded that it was not necessary to call for the CR file. This conclusion was based on the submissions made by both the parties and after going through the documents available before us. This ground regarding non-perusal of the CR file can not be sustained.

3. The second ground advanced in the review petition is that the petitioner has prayed for his promotion but the Tribunal had observed that the only issue pressed by the applicant was with regard to his CR. Our order dated 29.3.95 was passed in the background to the prayer pressed at the time of final arguments. We had noted this repeatedly in paras 4 and 12 of the order. Even otherwise, the issue regarding promotion arises only if there is a direction for reviewing the CR in favour of the petitioner. Such a direction not having been given, the issue of promotion was not relevant.

4. A number of other points have been raised in the review petition. These were urged at the time of final hearing. All the relevant points had been dealt with in the order passed.

5. The petitioner has not been able to establish that there has been an error on the face of record. No valid ground for entertaining the review petition has been advanced. Accordingly, the RA is dismissed as being devoid of merits.

P. J. Thiruvengadam

7/6/95

(P.T.Thiruvengadam)
Member(A)

S. C. Mathur
Chairman

/tvg/