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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

R.A. No. 438/93
in
O.A. No. 1566/88

New Delhi this the 14th day of December, 1993

THE HON'BLE MR. J.P. SHARMA, MEMBER (J)
THE HON'BLE MR. B.K. SINGH, MEMBER (A)

Shri Ram Singh,
S/o Shri Sumera,
3 Anarkali Extension,
Krishna Nagar,
Delhi-110 051.

.. Petitioner

vs

National Institute of Communicable Diseases,
22 Sham Nath Marg,
Delhi through its Director

Union of India
Ministry of Health & Family Welfare,
Nirman Bhawan,
New Delhi through its Secretary .. Respondents

O R D E R

Hon'ble Mr. J.P. Sharma, Member (J).

The review is sought against the judgement dated 20.10.1993 in O.A. No. 1566-88 which was dismissed on the point of limitation as well as jurisdiction. At the time of hearing on 20.10.1993 none of the parties were present and the case was taken up for hearing and decided on the basis of pleadings on record.

In the Original Application the petitioner has claimed the relief that the seniority list of 1985 be quashed and the applicant be given regularisation as Lab. Assistant with effect from 9.1.1974 by giving him the correct place in the seniority list with effect from that date.

The first ground taken by the petitioner is that the order of appointment dated 4.2.1974 a copy of which has already been annexed with the review petition may also be

considered as the same could not be filed by the petitioner alongwith the pleadings. This letter shows that the appointment of the applicant as Junior Technician or Lab. Assistant and he was never reverted since 9.1.1974. He has completed the period of probation also which was two years. On his transfer to Delhi the applicant was posted as Lab. Assistant in NICD. The grievance of the applicant is that he could not be given a fresh consideration for the same post in 1982. The question of limitation will still arise as the applicant has been regularised by the D.P.C. on 15.9.1982. The applicant could have given at the relevant time to assail that grievance which is now projected that he should be given regularisation with effect from 19.1.1974 or two years after completion of probation. Thus the findings given about the limitation is not disturbed even by consideration of this document.

The second ground taken by the petitioner is that the seniority list of Lab. Assistant/Junior Technician was not circulated. This does not effect the grievance of the applicant as his case is of getting regular appointment since January 1974 and he has been given the same with effect from September 1982.

The third ground taken by the petitioner is that he stood regularised as Junior Technician/Lab. Assistant after the expiry of two years. Probation period with effect from 9.1.1974. This is the main grievance which should have been agitated at the relevant time.

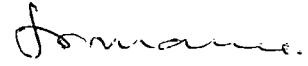
Thus none of the grounds taken in the review petition go to show any error apparent on the face of the record. We have also considered the documents furnished by the applicant alongwith the review petition and that

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does not change the conclusion drawn while dismissing the application on the point of jurisdiction and limitation. Matters which are once settled should not be unsettled.

The Review Application, therefore, is devoid of merit and is dismissed.


(B.K. Singh)
Member (A)


(J.P. Sharma)
Member (J)

Mittal