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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH
NEW DELHI

Original Application No. 131 of 1989

In re
Review ~~of~~ petition No. 19 of 1993

Channi Lal Applicant

Versus

Union of India and Others ~~Applicant~~ Respondents
Channi Lal v. Respondent

CORAM:

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

Hon. Mr. S.R. Adige, Member(A)

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

This review application is directed against the judgement and order dated 30.7.91. The case was heard and disposed of after hearing the counsel for the parties and considering the facts. The scope of review application is limited. On behalf of Union of India two more errors have been pointed out in the judgement. The first so called error is so pointed that the Tribunal's observations regarding the acceptance of option exercised by the applicant is not correct and as a matter of fact the option was not accepted. Even if, the option was not accepted and there is no error in narration of fact the conclusion not having been based as it the same does not affect the conclusions arrived at and as such it cannot be a ground for review. The other so called error which has been pointed out that

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the Tribunal has wrongly used the word 'fitment'. As a matter of fact the screening according to the review application was not for the purposes of fitment in the new grade but the screening was for the purposes of finding out as to whether a particular staff artist was to be allowed to come over of the new terms and conditions or not and not only for the purposes of grade. The screening was to be done regarding the new terms and conditions and grade. This itself included fitment of a person in the particular grade and was excluded from merely because of the word fitment has been used the phrase ~~new terms and conditions and grade~~ by condensing it new terms and conditions and grade will not change any legal and factual position. Accordingly there appears no error which could be said to be apparent on the face of the record, as such this review application has no merit and it is dismissed.

Anup Singh
Member (A)

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Vice Chairman

Dated: 16.3.1993

(Uv)