

Central Administrative Tribunal
Principal Bench, New Delhi

Regn. No. RA- 41/89 In
OA-159/89

Date: 1 - 6 - 89

Armed Hqs. Stenographers Petitioner
Association (Recognised)

Versus

Union of India & Ors. Respondents

For the Petitioner Shri S. K. Gupta,
President, AFHQSA

For the Respondents Shri P. H. Ramchandani,
Senior Advocate.

CORAM: Hon'ble Shri P. K. Kartha, Vice-Chairman (Judl.)
Hon'ble Shri K. J. Raman, Administrative Member.

1. Whether reporters of local papers may be allowed to see the judgement? *Yes*
2. To be referred to the Reporter or not? *No*

(Judgement of the Bench delivered by Hon'ble
Shri P. K. Kartha, Vice-Chairman)

The review petition has been filed by the applicant in the O.A.-159/89 praying that the Tribunal's judgement dated 10.3.1989 be reviewed and that the application be heard on merits.

2. The applicant had filed OA-159/89 praying that directions be issued to the respondents not to make any deviation in the scale of stenographic assistance to the officers of different levels in the Armed Headquarters. After going through the records and hearing Shri S. K. Gupta on behalf of the applicant, and the learned counsel for the respondents, the Tribunal had held that the ratio between the officers and the supporting staff has been fixed by the respondents in accordance with the norms approved by the Standing Establishment Committee which is an expert body in the matter of determination of the staffing pattern. The Tribunal saw no merit in the

Or

application and the same was dismissed at the admission stage. In this context, the Tribunal had in para.5 of the judgement, referred to the rulings of the Supreme Court, wherein it has been laid down that the Court cannot interpose its own decisions on the necessity of creation or abolition of posts. Whether a particular post is necessary, is a matter depending on the exigencies of the situation and administrative necessity. The Government is a better judge in such matters.

3. On carefully going through the grounds mentioned in the present petition, we do not see any error apparent on the face of the judgement. The petitioner has referred to certain norms prescribed by the Naval Standing Establishment Committee, according to which, one Grade 'D' Stenographer is to be provided to an officer of the rank of Commander (equivalent to Lt. Colonel)/equivalent. This fact will not materially affect the conclusions reached by the Tribunal in its judgement dated 10.3.89.

4. It may be that the petitioner is aggrieved by the decision of the Tribunal. In such a case, the appropriate course would be to prefer an appeal against the judgement of the Tribunal and not to seek a review of the same. We see no merit in the present petition and the same is dismissed.


(K.J. Raman)
Administrative Member


(P.K. Kartha)
Vice-Chairman (Judl.)