

Central Administrative Tribunal  
Principal Bench, New Delhi

Regn. No. RA-131/89 In  
OA-293/88

Date: 23-10-89

Shri P.D. Makkar .... Petitioner

Versus

Union of India & Ors. .... Respondents

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

O R D E R

(delivered by Hon'ble Shri P.K. Kartha)

The original applicant in OA-293/88 has filed the present petition seeking review of the Tribunal's judgement dated 3rd August, 1989. In the said O.A., he had prayed for a direction to the respondents to promote him to the Junior Administrative Grade w.e.f. 14.7.1988, the date from which his junior, Shri V.P. Jain, has been promoted and to quash the recorded warning dated 18.9.85. After hearing the applicant in person and the learned counsel for the respondents, the Tribunal quashed the proceedings of the D.P.C. dated 9.6.1988 so far as they relate to the case of the applicant and directed that the respondents shall convene a review D.P.C. within six weeks on the receipt of the judgement ~~of~~ <sup>and that</sup> the recorded warning dated 18.9.1985 and the confidential report for the period 30.3.1985 to 31.12.1985 should <sup>not</sup> ~~not~~ be taken into account by the Review D.P.C. If the Review D.P.C. finds the applicant fit for promotion in the Junior Administrative Grade, he shall be allowed such promotion w.e.f. the date his junior Shri V.P. Jain was promoted, with all consequential benefits in regard to pay and allowances and further chances of promotion, etc., if any.

On

2. We have carefully gone through the petition in which the petitioner states that he feels aggrieved that the judgement is silent on the vexed question of the illegal inclusion of Shri V.P. Jain in the zone of consideration for promotion by mala fide intentional corrigendum dated 21.5.1988 to the Gazette of India Notification dated 1.5.1985 shortly before special D.P.C. held on 9.6.1988. The petitioner has not pointed out any error apparent on the face of the judgement, nor has he brought out any new facts warranting a review of the judgement. What he really seeks in the present petition is to reappraise the evidence. This is not permissible in a review petition. We see no merit in the present petition and the same is dismissed.

*(Signature)*  
(P.C. Jain)  
Administrative Member

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