

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

RA-56/90  
IN  
OA-910/89

DATE OF DECISION 25/7/90

SHRI G.C. GUPTA

APPLICANT

VERSUS

UNION OF INDIA & OTHERS

RESPONDENTS

SHRI G.K. AGGARWAL

ADVOCATE FOR THE APPLICANT

CORAM:

THE HON'BLE MR. T.S. OBEROI, MEMBER (J)

THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

JUDGEMENT

(Delivered by Hon'ble Shri I.K. Rasgotra, Member (A))

In the review petition in OA No. 910/89 the petitioner has prayed that:

- a) the review petition be heard in the open Court to afford hearing by way of arguments;
- b) in view of the implications of the judgement the case may be heard in review by a larger Bench;
- c) to allow the review petition, set aside the impugned judgement dated 30.4.1990 in OA-910/89 (same as in OA-704/88) and order the Govt. to amend Rule 21 (3) of CES Group-A Service Recruitment Rules, 1954 by substituting the Proviso thereunder by 'Provided that Diploma Holder Assistant Engineers with 10 years service as Assistant Engineer or equivalent would also be eligible for promotion to the grade of Executive Engineer.'

Further the petitioner has also sought interim relief to continue promotions from AE to EE on the basis of the

A1

common seniority of AEs regardless of their educational qualifications, on merit-cum-seniority or seniority-cum-fitness.

We have considered the petition carefully. We find that the arguments put forth in review application to justify the prayer made in the petition have either been part of the pleadings or were put forth in the course of the arguments. The review application does not bring out any new fact or error apparent on the face of record. There are, therefore, no sufficient material/grounds warranting review of the judgement pronounced on 30.4.1989. The review application is accordingly rejected.

*Dilip*  
(I.K. Rasgotra)  
Member (A) 25/7/90

*Abba*  
(T.S. Oberoi)  
Member (J)