

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

R.A.NO.37/90 in  
O.A.NO. 2593/89

DATE OF ORDER: 26 Nov. 91

UNION OF INDIA & ORS. VS. SH. JAGJIT SINGH

O R D E R

This review application is directed against the judgement dated 31.1.90, passed by this Bench in O.A.No.2593/89, more particularly against the concluding part of paragraph-5 of the same, which may be reproduced as under:-

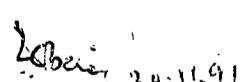
"We, therefore, direct that the policy as laid down in the Engineer-in-Chief's Branch may be re-considered and amended suitably in the context of the above said O.M. We further direct that the case of the applicant may be considered sympathically in the context of revised policy as above."

By referring to copies of three judgements in O.A.-1328/89 (Sh. G.C. Misra Vs. U.O.I.), O.A.1860/89 (Sh.S.K.Jain Vs.U.O.I.), and O.A.No.115(G)/89 with Misc. Petition Number 71/89 and 83/89 (Sh. S.S.Bawa Vs. U.O.I. etc.), it was contended on behalf of review applicants that the judgement against which this review application has been filed, runs counter to the decisions arrived at, in the aforesaid three judgements, and

also is not in tune with the proposition laid down by Hon'ble Supreme Court in their well-known judgements in U.O.I. Vs. H.N. Kirtania (JT 1989. 3 SC 131), Gujrat Electricity Board & Another Vs. Atma Ram Sungo Mal Poshani (JT 1989 SC 20) and N.K. Maheshwari Vs. U.O.I. (JT 1989(2) SC 338, in the last case, holding that guidelines are not statutory in character and are not judicially enforceable, thus praying that the judgement for which review has been sought for deserves to be suitably reviewed3modified.

We have carefully examined the above contentions in the light of the findings held in our judgement in question. A cumulative reading of the same would clearly show that the prayer of the applicant in that O.A. was declined, simultaneously directing the respondents in para 5 of the judgement to consider updating the policy with respect to transfers, in accordance with the Deptt. of Personnel & Training's O.M. dated 3.4.1986. To our mind there appears to be no case to see review of the judgement *ibid*. The review application is accordingly rejected.

  
(I.K. RASGOTRA)  
MEMBER(A)

  
(T.S. OBEROI)  
MEMBER(J)

/vv/