

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

NEW DELHI
RA-126/86 In
O.A. No. 1139/89
T.A. No.

1989

DATE OF DECISION 23-10-89

Shri H. S. Sohal

Applicant (s)

Advocate for the Applicant (s)

Versus
Union of India & Ors.

Respondent (s)

Advocate for the Respondent (s)

CORAM :

The Hon'ble Mr. P.K. Kartha, Vice-Chairman (Judl.)

The Hon'ble Mr. P.C. Jain, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the Judgement ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgement ?
4. To be circulated to all Benches of the Tribunal ?

JUDGEMENT

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

The petitioner, who is the original applicant in OA-1139/89, has prayed that the judgement of the Tribunal dated 4.8.1989 be reviewed and that the matter be heard afresh after giving him a personal hearing. In the said OA, he had prayed for quashing the notification dated 16.12.1988 in which he has been allocated to the Union Territories Cadre of the Indian Forest Service and respondent No.3 to the Punjab Cadre and for directing respondent No.1 to allocate the applicant to the State of Punjab as an 'insider' as per the principles of allocation of cadre to the members of Indian Forest Service. After going through the records and hearing the applicant in person and the learned counsel of the respondents, we found.

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no merit in the application and rejected it at the admission stage itself. In para.12 of our judgement, it was observed that even if on scrutiny his home State has been found to be Punjab, he could not be allocated to the Punjab Cadre as an 'insider' since there was only one vacancy for 'insider' and he ranked lower than another candidate whose home State, on scrutiny, was found to be Punjab and he ranked higher in merit than the applicant.

2. The petitioner is seeking a reappraisal of the evidence in the garb of a review petition. This is not permissible in law. In case he is aggrieved by the decision of the Tribunal, the appropriate course for him would be to prefer an appeal to the Supreme Court. We see no error apparent on the face of the judgement dated 4.8.1989. The petition is rejected.

Chancery 23/10/89
(P.C. Jain)
Administrative Member

Chancery 23/10/89
(P.K. Kartha)
Vice-Chairman (Judl.)