

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

RA No. 58790
OA No. 475/90

DATE OF DECISION: 23.7.90

SHRI ROSHAN LAL

APPLICANT

VERSUS

UNION OF INDIA

RESPONDENTS

SHRI S.K. SAWHNEY

COUNSEL FOR THE APPLICANT

Coram:

Hon'ble Shri T.S. Oberoi, Member (J)

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

JUDGEMENT

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

The review application has been filed seeking review of the judgement delivered on 10.5.1990 in OA No. 475/90. Briefly, the case is that the applicant continues to work as Assistant Superintendent after he had been reverted on the basis of recommendation made by the Loco Foreman to the competent authority for his continuation even after the date of reversion. Further, the applicant has submitted that in the meantime, the applicant has also 'come to discover' the letter of the Railway Board dated 21.2.1990, which permits payment of officiating allowance to staff working in higher grade on adhoc basis.

We have considered the matter carefully. The first point regarding the applicant having been continued as Assistant Superintendent on the basis of the recommendation made by the Loco Foreman is already disposed of in the judgement. The second point made in the review application, on the basis of the present discovery of Railway Board's letter dated 21.2.1990, is also infructuous

as the letter deals with "instant arrangement" "made by the Executive to maintain essential services" by deploying staff to man higher grade posts on local basis. As observed in the judgement dated 10.5.1990, the post of Assistant Superintendent is a ministerial post and its remaining unfilled for some time is not likely to jeopardise the operation of the essential services. The new evidence now produced therefore does not in any way affect the judgement pronounced on 10.5.1990. The Review Application is accordingly rejected.

Dilipkumar
(I.K. Rasgotra)
Member (A) 23/7/90

Dilipkumar 23.7.90
(T.S. Oberoi)
Member (J)