

(B)

CENTRAL ADMINISTRATIVE TRIBUNAL  
Principal Bench

R.A. 89/95 IN  
O.A. 1875/90

New Delhi, dated the

6<sup>th</sup> April, 1995

HON'BLE MR. S.R. ADIGE, MEMBER (A)

HON'BLE MRS. LAKSHMI SWAMINATHAN, MEMBER (J)

1. Shri Ashok Kumar Das  
S/o Shri B.P. Das
2. Shri Ram Pal Singh  
S/o Shri Daryav Singh
3. Shri Ramesh Bhasin  
S/o Shri Ram Ashra
4. Shri Ram Bilash  
S/o Shri Hira Lal
5. Shri Ram Kishan  
S/o Shri Fateh Singh
6. Shri Ummed Singh  
S/o Shri Chander Singh
7. Shri S.K. Ganguli  
S/o Shri D.N. Ganguli
8. Shri Gaj Raj Singh  
S/o Shri Lok Raj
9. Shri R.B. Gang  
S/o Shri Tak Ram
10. Shri Suraj Kumar Chakraborty  
S/o Shri S.K. Chakraborty
11. Shri Man Mohan Kumar  
S/o Shri Lajpat Singh
12. Shri Gircharan Singh  
S/o Shri Piara Singh

..... APPLICANTS

VERSUS

1. Union of India through the  
Secretary, Ministry of Defence  
Government of India  
New Delhi
2. The Director General of  
Ordnance Factories,  
Ministry of Defence  
Muradnagar  
Distt. Ghaziabad (U.P.)
3. The General Manager,  
Ordnance Factory,  
Ministry of Defence,  
Muradnagar,  
Distt. Ghaziabad (U.P.)

..... RESPONDENTS

A

ORDER (BY CIRCULATION)

BY HON'BLE MR. S.R. ADIGE, MEMBER (A)

In this R.A. bearing No. 89/95 filed by Shri Ashok Kumar Das and Others on 23.3.95 it has been prayed to review judgement dated 15.2.95 in O.A. 1875/90 Ashok Kumar Das & Others Vz. Union of India & Others.

2. In that judgement the applicants, all Electricians (skilled) in the Muradnagar Ordnance Factory had impugned the action of the respondents in non-considering them for promotion as Wiremen (Skilled Gr. II) and Wiremen (Skilled Gr. I). In that judgement it was noted that the applicants had joined service as Wiremen (Skilled), and at that time promotion in the Wiremen cadre being non-existent, the applicants had been promoted as Electricians (Skilled) upon their clearing the necessary tests, which enabled them to be considered for further promotion as Electrician (Highly Skilled) and Master Technician. However, consequent to the Guha Committee's recommendations Wiremen were recognised as an independent trade with their job specification, skill levels, duties and responsibilities, and consequently promotion opportunities had opened up in this Wiremen Grade. Under this circumstances, if the Wiremen Cadre formed a separate class, and the respondents restricted further promotion within that cadre, they could not be faulted and the O.A. was dismissed.

3. In the R.A. the main ground is that the Guha Committee's recommendations are faulty because instead of rationalising and amalgamating various trades and scales, it further split the trades of Wiremen/Electrician, although it is claimed their job is almost identical for all practical purposes.

(TS)

4. Neither this ground nor any of the other grounds, taken in the R.A. bring it within the scope and ambit of order 47 Rule 1 CPC under which alone any review of a judgement/decision/order of a Court/Tribunal is permissible. A review petition cannot be used as a guise for an appeal petition to reopen and rehear a case which has been decided after hearing both parties on merits.

5. Under the circumstances, this R.A. is rejected.

*Lakshmi Swaminathan*  
(Mrs. LAKSHMI SWAMINATHAN)

Member (J)

*M. Adige*  
(S.R. ADIGE)  
Member (A)