

CENTRAL ADMINISTRATIVE TRIBUNAL  
Principal Bench

R.A. No. 176 of 1996  
in  
O.A. No. 2578 of 1990

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New Delhi, dated the 9<sup>th</sup> October, 1996

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

Shri Pawan Kumar Jain,  
C/o Shri G.K.Aggarwal,  
Advocate,  
G-82, Ashok Vihar-I,  
Delhi-110052.

.... REVIEW APPLICANT

VERSUS

1. Union of India through  
the Secretary,  
Ministry of Urban Affairs & Employment,  
Nirman Bhawan,  
New Delhi.

..... RESPONDENTS

ORDER (By Circulation)

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

Perused the R.A.

2. The question of considering the applicant's case for regular promotion to the grade of AE (Civil) in terms of respondents' order dated 25.1.79 under the plea of 'any other relief' cannot be made a ground for review of the impugned judgment dated 2.7.96.

The promotions granted in terms of this order were specifically made subject to the decision of C.W.P. No.703/78 filed in the Delhi High Court by Shri C.K.Bhaskaran & Others. In Bhaskaran's case (Supra) as noted in paragraph 14 of our impugned judgment the Delhi High Court took note of the undertaking given by the respondents in respect of the manner in which promotions were to be made and on the basis of that

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undertaking the Delhi High Court allowed Shri Bhaskaran & others to withdraw the CWP and in our impugned judgment we have held that the said undertaking has been implemented by the respondents correctly, on the basis of which the applicant is not entitled to promotion w.e.f. 25.1.79.

3. That apart, when the OA itself has been dismissed as not warranting any interference, the question of granting any other relief in the facts and circumstances of this case does not arise, and this cannot be made the ground for a review application as it does not come within the ambit of Section 22(3)(f) AT Act, read with Order 47 Rule 1 CPC under which alone any judgment/decision/order of the Tribunal can be reviewed.

4. The RA is rejected.

A. Vedaiah  
( DR.A.VEDAVALLI )  
Member (J)

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

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