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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

Date of decision:

16.4.93

R.A.No. 337/92 in O.A.1547/91

Hari Shanker Sharma and others .. Applicants

Vs.

Union of India and others .. Respondents

Counsel for the applicants .. Mr.B.S.Mainee

None for the respondents

CORAM

Hon'ble Mr.S.P.Mukerji, Vice Chairman
and
Hon'ble Mr.J.P.Sharma, Member (J)

ORDER
(Hon'ble S.P.Mukerji, VC)

We have heard the learned counsel for both the parties on this Review Application in which the Review Applicants sought review of the Judgment dated 23 9.92 to which one of us was a party in O.A.1547/91. The main contention in the application is that the statement of the original respondents on which the judgment relies, to the effect that direct recruits have been given their seniority based on the date of their induction to regular post after completion of their training is incorrect.

In this regard our attention was brought to the extracts of Seniority List at Annexure.A.4 in which the dates of appointment of direct recruits have been shown as 17.11.86 and various dates of 1986 and 1987. The learned counsel for the Review Applicants contended that these dates are not dates of induction to regular post after completion of their training. The learned counsel conceded that even

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if the dates of induction to the regular post is taken to be 18 months after the dates of appointment, the dates of direct recruits of such induction would not be later than the regular empanelment of the Review Applicants which has been taken as 24.2.89 in the judgment. Therefore, even on the basis of the date of induction to regular post the Review Applicants would be junior to the direct recruits in question. There is nothing to show that in the judgment we had taken the dates of appointment of direct recruits as the governing factor for determination of their seniority.

2. In the above light, we see no error warranting any review of the judgment. The learned counsel for the Review Applicants questioned the judgment further on the ground that the ruling of the Hon'ble Supreme Court has not been properly interpreted. This in any case cannot be a ground for review.

3. In the above circumstances, we see no force in the Review Application and reject the same.

[Signature of J.P. Sharma]
(J.P. Sharma)
Member (J)

[Signature of S.P. Mukerji] 16.4.93
(S.P. Mukerji)
Vice Chairman