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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,  
NEW DELHI.

R.A.No.183 of 1993

Date of Decision: 6.8.93

in

O.A.No.2700 of 1992.

M.K.Bansal

.....Petitioner.

Versus

Union of India & others .....Respondents.

CORAM:

Hon'ble Mr.J.P.Sharma,Member(J)

Hon'ble Mr.S.R.Adige,Member(A)

For the applicant: Shri B.S.Mainee, Counsel.

For the respondents: Shri Rajesh, Counsel.

ORDER

(By Hon'ble Mr.S.R.Adige,Member(A).)

This is a petition bearing R.A. No.183 of 1993 filed on 7.6.93 praying for review of the Tribunal's judgment dated 7.5.93 in O.A.No.2700 of 1992.

2. The petitioner has stated that there was an error on the face of the record in that judgment, inasmuch as it had been held therein that the applicant had been promoted in the grade of Rs.1600-2660/- on 16.9.90 and not on 23.9.87, and the petitioner's prayer for relief had been wrongly rejected on that ground. Hence, he has prayed that the said judgment be reviewed.

3. Even if, as claimed by the petitioner he was promoted in the grade of Rs.1600-2660/- on 23.9.87 and not on 16.9.90, the fact remains that he is junior to the persons whose names appear between serial Nos.3 to 12 of the seniority list dated 25.2.92(Annexure-A7 of the O.A.) as they were continuously officiating in the aforesaid grade against regular vacancies since 1985-86, before the petitioner was promoted to that grade and were also regularised in that grade thereafter. When continuous officiation is followed by regularisation,

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it is permissible under rules to count the period of continuous officiation for the purpose of determining seniority, and hence the petitioner's prayer for redetermination of his seniority and to place him above Serial No.2 Shri Faqir Chand in that seniority list was rightly rejected.

4. Under the circumstances, the Tribunal's impugned judgment dated 7.5.93 does not call for any review and this petition is accordingly dismissed.

*Arif Ali*  
(S.R.ADIK) MEMBER (A)

*J. P. Sharma*  
( J. P. SHARMA) MEMBER (J)

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