

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

R.A.310/92 in
O.A.1702/92.

Date of decision: 12.7.1993.

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S.B. Verma.

Petitioner.

Versus

Union of India & Ors.

Respondents.

CORAM:

THE HON'BLE MR. JUSTICE V.S. MALIMATH, CHAIRMAN.
THE HON'BLE MR. S.R. ADIGE, MEMBER(A).

For the Petitioner.

Shri S.K. Sawhney,
Counsel.

For Respondents 1 to 3.

Shri B.K. Aggarwal,
Counsel.

For Respondent No. 4.


Shri P.M. Ahlawat,
Counsel.

JUDGEMENT (ORAL)

(By Hon'ble Mr. Justice V.S. Malimath, Chairman)

We are satisfied that this is not a case which calls for review. In the main application, the petitioner had challenged the validity of the orders dated 19.6.1992 (Annexure A8) and dated 25.6.1992 (Annexure A1). Shri Sawhney, learned counsel for the respondents, invited our attention to the order dated 31.7.1992 (Annexure P-2) which says that the impugned orders should be given prospective effect. It is, therefore, quite clear that Annexure P-2 has no bearing whatsoever on the validity of the orders Annexures A-8 and A-1. Hence, the discovery of new material by the petitioner will not give him any right to review the order. So far as the promotion actually given to Shri B.D. Chitra is concerned, it is only after the case was disposed of by the Tribunal. The validity of his

appointment was not in question as it was not yet made. If the petitioner has a case that the said appointment is wrong as having been made by making impermissible use of Annexures A-8 and A-1, that is the matter which the petitioner can challenge in the appropriate proceedings as this matter was not earlier agitated. Without prejudice to the right of the petitioner in agitating his right in appropriate proceedings, this Review Application is dismissed.


(S.R. ADIGE)
MEMBER(A)


(V.S. MALIMATH)
CHAIRMAN

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