

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD.

....

Review petition No. 23 of 2001.
In re.
original Application No. 164 of 1994.
HON'BLE MR. RAFIQ UDDIN, MEMBER (J)
HON'BLE MR. S. BISWAS, MEMBER (A).

this the 21st day Aug. 2001.

union of India through General Manager, Northern Railway,
Baroda House, New Delhi.

2. Deputy Chief Engineer (C.S.C.), Khalispur, Varanasi.
3. Assistant Engineer (C.S.C.), Khalispur, Varanasi.

Applicants.

Versus.

Vidya Sagar, S/o Sri Ram Chandra.

2. Sri Mohd. Fazal, S/o Mohd. Vasi Uddin,
Both working as Skilled Gr. II under Assistant Engineer,
(C.S.P.), Khalispur, Varanasi.

Respondents.

O R D E R

RAFIQ UDDIN, MEMBER (J)

This Review Petition has been filed for Union of India seeking the review of the order dated 21.8.2000 passed in O.A. no. 164/94. The operative part of the order is as under :

"That in view of what has been discussed above, we do not find any merit in the present O.A. and the same is liable to be dismissed. However, since no further action could be taken by the respondents due to pendency of the present O.A., we find it desirable to direct the respondents to complete the process of promotion of the applicant and other officials after settling seniority disputes within a period of three months from the date of communication of this order. In case the applicants are found suitable for promotion, fresh promotion order shall be issued and the applicants will be entitled for salary in the new scale from the date of their promotion. There shall be no order as to costs."

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2. It has been stated in the Review petition that the order dated 21.8.2000 is liable to be reviewed in so far as it directs the respondents to complete the process of promotion of the applicant and other officials after settling the seniority disputes within a period of three months from the date of communication of the order because once this Tribunal has held that the case of the applicant for promotion not established and the O.A. was liable to be dismissed. Therefore no further direction was necessary for considering the case of the applicant for promotion.

3. It is correct that the case of the applicant for promotion on the basis of the alleged promotion order dated 19.10.92 was not found established. Hence, it was observed that the O.A. was liable to be dismissed. But since the learned counsel for the respondents has stated at the Bar that the action regarding promotion of the applicant was held-up due to pendency of the present O.A., it was found desirable to issue directions to the respondents to complete the process of promotion expeditiously because the matter of promotion was already delayed. Therefore, we do not find any error apparent on the face of the record to justify the review of the order.

4. The Review Petition has no merit and the same is dismissed.

S. B. Misra

MEMBER (A)

D. A. M. M. D. D.

MEMBER (J)

GIRISH/-