

(18)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH

Review Application No.200/89

In

O.A.No. 720 of 1986

R.U.Khan

....

Applicant

Vs.

Union of India & Others...

Respondents

Hon'ble Mr. Justice U.C. Srivastava, V.C.

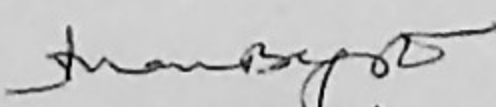
Hon'ble Mr. A.B. Gorthi, Member (A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

This Review Application is against the judgment and order dated 30th January, 1989 passed in O.A.No. 720 of 1986 dismissing the application filed by the applicant. Feeling dissatisfied with the same the applicant has filed this Review Application. The perusal of the Review Application as well as the arguments of the learned counsel for the applicant indicates that the applicant was not satisfied with the judgment.

2. The pleas raised by the applicant and the pleadings of the parties were already considered by the Tribunal before deciding the Original Application. It was not necessary for the Bench to refer^{to} the pleadings in detail. In case there was an error in the judgment it is not the ground for recalling the order. The applicant wants recalling of the said judgment in his Review Application on variety of grounds including the ground which was not urged and ^{not} taken. So far as the grounds which were urged and taken by the applicant, ^{these} were taken

into account. Regarding the indicated promotional post it has been very clearly stated by the Tribunal in his ^L judgment that in year 1979 the applicant was not found suitable for promotion and that is why he was not promoted. But in the year 1980 as he was considered suitable for promotion, he was promoted. Regarding promotion for the higher post of Rs.700-900/- which is the selection post it has been stated that as the applicant has not crossed the intervening ladder i.e. he has not yet been promoted to the grade of Rs.550- 750/- his case for promotion on the said higher grade should not have been considered. There appears to be no error apparent on the face of the record in the judgment. Even if it could be said that it was a case of ^{mass} ~~mass~~ promotion and the applicant's case should have been considered for promotion along with many others who have got the promotions, but this ^{itself is} ~~this~~ not the ground for review. Obviously there appears to be no reason why the respondents ^{would not} ~~have~~ do the injustice to the applicant which apparently they have ~~not only~~ done in the past but also likely ^{to be} ~~to be~~ done in the future. In case the applicant is entitled for promotion on the intervening grade i.e. Rs.550-750/- from earlier date there appears to be no ^L reason why the respondents ^{would} ~~did~~ not do the same. With the above observation the application for review is dismissed. ~~Ali~~ ^L


Member (A)


Vice-Chairman

25th February, 1992, Alld.
(sph)