

IN THE CENTRAL ADMINISTRATIVE RIBUNAL, ALLAHABAD BENCH

Review Application No.5.A/88

In

T.A. No. 15 of 1986

Union of India & Others ..... Applicants  
Vs.  
Beer Singh ..... Respondent

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

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

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

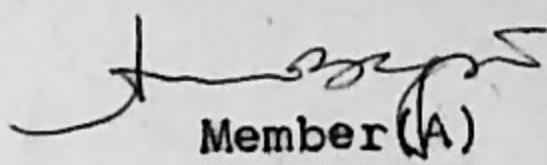
1. This is a Review Application against the judgment and order passed by this Tribunal on 22.11.1988 in T.A. No. 15 of 1986 allowing the appeal filed by the Union of India against the judgment and decree passed by the Court of Munsiff. The scope of Review Application is limited and no error is apparent on the face of the record. At the outset we have been unable to find out any error on the face of the record except that the party is not satisfied with the judgment. The applicant started the case on two grounds. The first ground was that after working for three years the applicant should be given quasi permanent status and the second ground is that having been once promoted and appointed as overseer by a competent Authority, he could not be reverted by his successor without affording him an opportunity of hearing.

2. In the Review Application the present applicant (U.O.I.) clearly states that permanent quasi status could not be given unless an order in this behalf was passed. The same was not passed in the case of the original applicant. The applicant who has now retired from service was never promoted on the post of Mail Overseer and it appears that due to death of previous incumbent the applicant was allowed to work on the said

3. The applicant has placed reliance on para 282 of chapter 8 of Vol.4 of P & T Manual which provides as under:-

"Appointment to the branch post Master, Overseer's postman, Sorting postman or Reader and Head postman should be made by promotion of postman & village postman. Such appointment will normally be made in order of seniority but the appointing authority, may in ~~this~~ his discretion pass over any senior official, whom he does not consider fit for such appointments, and a single gradation list should be maintained for the holder of all these posts which should be made interchangeable."

The appointment authority in order to exercise a discretion in this manner put the case to the promotion committee <sup>which found</sup> find another candidate suitable for promotion on which the appointing authority has acted, and it cannot be said that there was any violation of the Rules. we do not find any error on the face of the record and accordingly the Review Application is dismissed.

  
Member (A)

  
Vice-Chairman.

24th Feb. 1992, Alld.

(sph)