

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH.

....

Review Application No. 37 of 1987 (T.C.)

IN

T.A. No. 243 of 1986

(C.A. No. 198 of 1985)

Bhanu Pratap Singh

... Applicant.

Versus

Union of India and another

... ... Respondents.

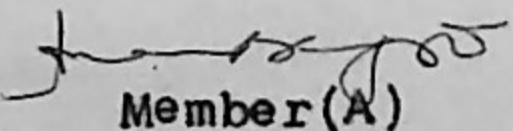
Hon. Mr. Justice U.C. Srivastava, V.C.

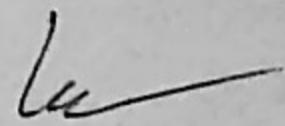
Hon'ble Mr. A.B. Gorthi, Member (A)

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

This is a review application against the judgment and order dated 27.8.1987 passed by a Bench of this Tribunal. In the review application, the applicant has stated that the Bench earlier decided 2 other cases and in those case some different views have been taken with the results, the applicants of those cases have been benefited and in the instant case, ~~earlier~~ a contrary view has been taken and the application has been dismissed with the result that the applicant of this case is not getting the benefit which similarly placed persons are getting under the judgment of the Tribunal. In those cases, the Tribunal has observed that the appointment of the applicants was adhoc and the applicants failed in the examination, as such the applicant has got no right to say. Now the applicant has challenged the same on the ground that incorrect observations have been made by the Tribunal that the applicants have been continuing on the post because of the interim order of this court. As a matter of fact,

interim order was vacated long ago, may be so, but the case has not been decided on the basis of this ~~obligation~~ which may be incorrect. Merely because, in other cases, some other views have been taken, may be, that there was some difference/in fact, but that will not be a ground for recalling the judgment unless there is an error apparent on the face of the record. The mistake or the defect which ~~has~~ been pointed out by the applicant can not be said to be an error apparent on the face of the record so as to invoke the review jurisdiction of the Tribunal. Accordingly, the review application deserves to be dismissed. However, it will be open for the department that in case, similarly placed persons have been given some benefits in view of the decision of the Tribunal, this judgment will not stand as a bar for giving the same benefit to the applicant.


Member (A)


Vice-Chairman

Dated: 27.2.1992
(n.u.)