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Central Administrative Tribunal, Allahabad.

Review Application No.16-B of 1989

Union of India and others .... Applicants

Vs.

Ram Pher ... Respondent.

Hon.D.S.Misra,AM  
Hon.G.S.Sharma,JM

(Byt Hon. G.S.Sharma,JM)

This Review Petition is directed against the final order dated 26.7.1988 in two connected cases- T.A.No.834 of 1986 and T.A.No.820 of 1986. It was filed on 28.2.1989 with the allegation that the order of this Bench determining the seniority of the Plaintiff-Respondent Ram Pher on the basis of length of service is not correct and his seniority should have been determined on the basis of the marks obtained in the training class in accordance with the orders of the DG P&T dated 19.8.1980. In our order under review, we had considered this contention of the Postal Authorities and had held that the relevant letters were not placed on record in the trial court nor at the time of appeal before us and we had accordingly determined the seniority in accordance with the length of service. It is alleged in the review petition that we should have accepted the contention of the department even in the absence of the relevant document as the same was contained in an affidavit on record.

2. We have very carefully examined the Review Petition. It is grossly barred by time and the cause shown for review is also not sufficient. The various rules and regulations requiring interpretation for determining the inter se seniority of the employees of a

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department are to be examined by the Courts or the Tribunal and mere allegation regarding the principle contained in an affidavit cannot be taken to be sufficient for departing from the general rule of seniority.

3. We, therefore, find no good ground for review of this Application, which is accordingly dismissed.

*Subbarao*  
MEMBER(J)

Dated: *July 4, 1989*  
kkb

*Dharm*  
MEMBER(A)