

By Circulation

CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH

ALLAHABAD

Dated: This the 16 day of May, 1997
Coram: Hon'ble Mr. S. Das Gupta AM
Hon'ble Mr. T. L. Verma JM
Review petition no. 21 of 1997

IN

Original Application no. 877/92

H. N. Pandey and others - - - - - petitioners

C/A Sri Praceep Chandra Versus

Union of India & others - - - - - Respondents

Order

By Hon'ble Mr. S. Das Gupta AM

This application has been filed seeking review of the order dated 6.1.1997 by which O.A.No. 877/92 was disposed of.

2. The aforesaid application was filed jointly by 53 applicants seeking quashing of an order by which ^{applicants} 42 had been promoted to Skilled grade III against 25% of I.T.I. quota. They also prayed for a direction to be issued to the respondents to promote ~~the~~ ^{the} applicants in light of order of the Tribunal and also prepare seniority list and promoted the applicant on the basis thereof. Several other reliefs were also prayed for including payment of salary/back wages and treating the applicants's seniority from the date of their joining.

3. During the course of hearing of the petition, it was agreed that after several decisions of the Tribunal involving the same sets of applicants and respondents, the only issue which now required to be adjudicated was how the interse seniority of the applicants is a-vis promotee ~~khallas~~ shall be

determined.. O.A. was disposed of with the direction to the respondents that this seniority shall be regulated in accordance with para 302 of Indian Railway Establishment Manual Vol. I. Since there has been a series of litigations on this Issue, the Tribunal also hoped that with this direction, the entire controversy ~~will~~ ^{is to be} set at rest once for all.

3. It now appears that the same Issue is sought to be raked up again through the instant Review application. Prayer made in the Review application is that the Tribunal may amplify its order dated 6.1.97 with the following clarifications :

(A) Seniority amongst the petitioners and 71 Khalasis promoted on 21st April 1986 will be assigned under Rule 302 of Indian Railway Establishment Manual from 21st April, 1986.

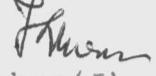
(B) The orders of promotion of the petitioners against 25% direct recruitment quota will be operative from 21st April, 1986 the date on which 71 khalasis were promoted against 50% quota.

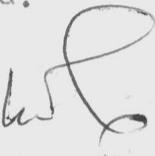
4. So far as the clarification sought at (A) above is concerned, the order dated 6.1.1997 is quite clear and no further clarification is called for. So far as (B) is concerned, it would appear that the applicants are trying to reopen the entire Issue all over again, which does not lie within the

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narrow campus of the review application.

4. Inview of the foregoing, Review Application is dismissed.


Member (J)


Member (A)

SQI