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CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH

ALLAHABAD

Dated this the 29 day of January, 1997

REVIEW APPLICATION NO. 50 OF 1996

IN

Original Application No. 229 of 1992

V. K. Tewari

Versus

Union of India and others

C/A Sri Bishesh Tewari.

ORDER

By Hon'ble Mr. S. Das Gupta A.M.

This application seeks review of judgment and order dated 17.11.1995 by which O.A. No. 229/92 was dismissed.

2. In the aforesaid O.A., applicant was initially recruited as Assistant Lecturer (Engg) in Mechanical department. As there was no promotion/avenue from that post, he was later absorbed in the Electrical department on the post of Assistant Shop Superintendent. The controversy in this case related to the question as to whether the past service of the applicant as Assistant Lecturer (Engg) should be reckoned with for the assignment of his seniority on the absorption in the Electrical department. After considering the rival pleadings, the Tribunal held that since the applicant's ~~of~~ transfer to another cadre was not on administrative ground, but in his own interest, the benefit of past service could not have been granted for the purpose of seniority in the department in which he was later absorbed.

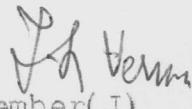
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3. We have gone through the submissions made in the review application. This application has been filed after the period of limitation. Even otherwise the submissions made in the review application would indicate that the applicant is challenging the judgment and order dated 17.11.1995 on the ground that conclusions reached were erroneous in the facts and circumstances of the case.

4. The judgment and order already delivered can be reviewed only, if it is shown to suffer from any apparent error apparent on the face of the record or in case new fact is brought out warranting such review, provided such facts could not be brought out earlier despite exercising due diligence.

5. In the review application, there is nothing to indicate that the impugned judgment and order suffers from any error apparent on the face of record. No new fact has also not been brought out, which would warrant review of the judgment and order already delivered. If the applicant feels that the conclusion reached in the aforesaid judgment is erroneous, the remedy would lie in filing an appeal.

6. This review application has no merit and is dismissed Accordingly.

  
Member (J)

  
Member (A)