

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Review Application No: 1083 of 1993

In

C.A. No: 696 of 1992

R.K.Yadav Applicants.

Versus

Union of India & ors. Respondents.

Hon'ble Mr. K.Cbayya, Member-A

Hon'ble Mr. A.K.Sinha, Member-B

(By Hon'ble Mr. K.Cbayya, Member-A)

This review application is directed against our judgement and order dated 31.5.1993. The applicant had approached the Tribunal in a promotion matter and pray'd for direction to the respondents to promote him as a clerk. The said relief was sought on the grounds that he is senior most in the feeder cadre i.e. Group 'D' post and also that he has qualified in selection.

2. The case was dismissed on merits after hearing the counsels of parties and perusal of record.

3. In this review petition, it is pointed out that our judgement has not considered certain important aspects and it is wrongly mentioned in

selection, it was noticed that 7 candidates were included in the panel and the applicant's name was not in the panel. It is now contended that in para 6 of the judgement, there is error that the applicant failed to qualify in the selection whereas he had qualified in the selection. It is also pointed out that the observation that the applicant did not appear in the test of 1987 is contrary to record and that the applicant appeared at selection and has declared pass in the written test. It is also stated that the applicant appeared at test in 1982 and was placed at S.No. 10 while respondent No. 3 was S.No. 11.A.

4. We have given our careful consideration to the averments. We have also gone through the judgement. Review cannot be asked for re-hearing the matter all over again. Even if a view is taken and that view is erroneous, the remedy does not lie in a review. One cannot sit in appeal over one's own order. It is also not necessary each and every averment or point has to be mentioned in the judgement. If it is not mentioned, it was due to the fact that it does not influence the decision. Promotion to Clerical cadre (Group 'C') posts from Group D cadre is through selection and seniority. In selection the applicant did not come up to the number of vacancies which were 7 and a panel to

for promotion in future and also the applicant may appear for selection made hereafter. In our view there is no error much less error apparent on the face of record. The review application is liable to be rejected accordingly it is rejected.

Anil Kumar Jetha

Member-3

R. Bhambhani

Member-4

Alahabad Dated: 28/6/93

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