

As noted in para 9 of our judgment the applicant himself placed reliance on Railway Board's letter dated 30.7.86. It has also been noted in our judgment that Establishment Manual are based on Railway Board's letter. Inclusion of the contents of one letter does not rule out the applicability of the other letter. We have also held that a self contradictory plea is being raised by the applicant.

3. The other ground raised in support of the review application is directed against our finding that it would be in-equitable to grant any relief which will adversely effect on others who had not been impleaded. In respect of this finding a plea has been raised that it is not a case of revision of seniority list but of forming a panel. This plea over-looks the fact that the petitioner's claim if allowed would have brought him on the earlier panel, thus giving him the benefit of seniority over others whose names found place in the later panels.

4. The grounds raised in the review petition are nothing but a rehash of the pleas already urged at the hearing of the O.A and were fully considered and answered. This ~~case~~ is not the scope of review petition. The review application does not raise any grounds contemplated by Order 47 Rule 1 C.P.C which are applied in respect of the review application. No error apparent on the face of the record has been pointed out. A virtual re-hearing of the pleas cannot be permitted. I am accordingly of the opinion that the review application lacks merit and deserves to be dismissed. The review application may be placed before Mr. S. Das Gupta, A.M. for orders through circulation.

Uv/

Dated: 28.2.1995

Bedaksan
Vice Chairman
I agree with the views expressed above. The review application may be dismissed.
28/2/95

14.3.95

In view of the concurrence of Mr. S. Das Gupta
Member(A) with the opinion tendered by me the
review application is dismissed for the reasons
detailed in my order dated 28.2.95.

ht
Member(A)

B. S. Das Gupta
Vice Chairman