

**CENTRAL ADMINISTRATIVE TRIBUNAL**  
AHMEDABAD BENCH

R.A.NO. 48 of 1995 in

**O.A. NO.** 169 of 1992.

**T.A. NO.**  
~~XXXXXX~~

**DATE OF DECISION** 15-11-1995.

Shri N.J.Patel

Petitioner

Shri M.S.Trivedi

Advocate for the Petitioner (s)

Versus

Union of India and others

Respondent

Advocate for the Respondent (s)

**CORAM**

**The Hon'ble Mr. N.B.Patel**

: Mice Chairman

**The Hon'ble Mr. K.Ramamoorthy**

: Member (A)

**JUDGMENT**

1. Whether Reporters of Local papers may be allowed to see the Judgment ?
2. To be referred to the Reporter or not ?
3. Whether their Lordships wish to see the fair copy of the Judgment ?
4. Whether it needs to be circulated to other Benches of the Tribunal ?

NO

Shri N.J. Patel,  
working as Goods Guard,  
Western Railway,  
Mehsana.

...Applicant.

(Advocate : Mr.M.S.Trivedi)

Versus

1. Union of India, ~~and~~ through  
The General Manager,  
Western Railway,  
Churchgate,  
Bombay.

2. The Divisional Railway Manager,  
Western Railway,  
Rajkot Division,  
Rajkot.

3. Senior Divisional Operating Supdt.,  
DRM Office,  
Western Railway,  
Rajkot.

...Respondents.

(BY CIRCULATION)

O R D E R

R.A.NO. 43 of 1995  
in  
O.A.NO. 169 of 1992.

Date : 15.11.199

Per : Hon'ble Mr.K.Ramamoorthy : Member (A)

The application for review has been filed on the  
ground that the Tribunal had not taken into account the  
correct Rule on the subject.

2. The matter pertains to assignment of seniority  
which is conditional on completion of training by the  
applicant as has been indicated in the order itself.  
fact of applicant having refused training when he was

in 1988 is also not indisputed. The question of the applicant having not been sent for immediate subsequent batches was not the issue in dispute and it is for the first time in the Review Application, reference has been made to there having been nine subsequent training batches. In any case, since the seniority is a factor which is conditional on training and the grievance <sup>does not relate to</sup> relates to assignment of seniority and not being selected for any particular subsequent batch, the question of there being any error in law or in fact on this aspect does not arise.

Hence, Review Application is rejected.

  
(K. Ramamoorthy)

Member (A)

  
(N.B. Patel)

Vice Chairman

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