

CENTRAL ADMINISTRATIVE TRIBUNAL

CALCUTTA BENCH

M.A. 505/97

(O.A. 1361 of 96)

Present : Hon'ble Mr. D. Purkayastha, Judicial Member.

Hon'ble Mr. B.P. Singh, Administrative Member.



Biman Pathak

- v e r s u s -

Union of India & Ors.

For the applicant : Mr. P.B. Misra, counsel.

For the respondents : Mr. S.P. Kar, counsel.

Heard on 22.7.99

Order on 22.7.99


O R D E R.

D. Purkayastha, JM

In this application, the applicant has sought for review of the order dated 6.8.97 passed by this Tribunal in O.A. No. 1361 of 1996 alongwith M.A. 113 of 1997.

2. Ld. counsel Mr. Misra, appearing for the applicant has drawn our attention to the judgment of Hon'ble Apex Court reported in 1996 (1) SCSLJ 293. Referring to the paragraph 15 of the said judgment the Id. counsel submits that the applicant's candidature ought to have been considered by the respondents for the purpose of filling up of the post in question since he rendered service in the department for more than seven years.

3. We have considered the judgment as pointed out by the Id. counsel. We find that in the said judgment the said concession has been given to the applicant which is binding<sup>in</sup> law and ~~not~~ enforceable right of the applicant. Under such circumstances, we do not find any merit of the application and thereby the review application is dismissed awarding no costs.

  
Member (A)  
Member (J)