

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH

R.A.No. 23/03 (O.A. No.66/97)

Lucknow this the 3rd day of June, 2003.

HON. MR. A.K. MISRA, MEMBER(A)

HON. MR. RAFIQ UDDIN, MEMBER(J)

Mohd. Siddique and another applicants.

versus

Union of India and others

Respondents.

O R D E R

By Rafiq Uddin, Member(J)

This Review application has been filed alongwith M.P. No. 1029 of 2003 for condonation of delay in filing the Review Application. M.P. is allowed. Delay is condoned.

2. The Review application is for review of the order dated 17.12.2002 passed in O.A.No. 66/97. By the said order, the O.A. filed by the applicants has been dismissed on merit. The claim of the applicants seeking appointment on the post of Postal Assistant in the selection held on 14.7.96 has been rejected. The ground on which the claim has been rejected is that there were only 3 vacancies to be filled in on the basis of aforesaid selection and appointments have been made as per merit by the respondents. The applicant claims that there were 11 vacancies to be filled in and therefore, they are entitled to be appointed.

3. The order has been passed after considering the arguments of the learned counsel for the parties and on the basis of material available on record. The Review application in hand has been filed mainly on the ground that at the time of argument circular dated 2.4.96 (Annexure 3 to the O.A.) could not be brought to the notice of the Tribunal and, therefore, the applicants have right to get appointment on the basis of the aforesaid circular. It is admitted that the circular in question has been duly considered by the Tribunal and while passing the order it has been specifically held

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that the applicant participated in the selection held on 14.7.96 which was held for filling up only 3 posts. There is nothing in this review application showing that the aforesaid finding is wrong. Therefore, the ground mentioned in the Review application is not sufficient to review the order in question.

4. The R.A. is without any merit and the same is dismissed under circulation rules.

Rajendra
MEMBER (J)

Ahmed
MEMBER (A)

Lucknow; Dated: 3-6-2003

Shakeel/