

13

Court No.1

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD

Review Application No.307 of 1990
and
Review Application No.308 of 1990

In

Registration C.A. No.88 of 1989.

Jitendra Prasad and Others Review Applicants
Versus

Union of India & Others Opposite Parties.

Hon. Justice Kamleshwar Nath, V.C.

Hon. K.J. Raman, Member (J)

✓ (By Hon. Justice K.Nath, V.C.)

These are two connected Review Petitions against the judgement dated 25.9.89 in C.A. No.88 of 1989 Shri Jitendra Prasad and Others Vs. Union of India & Others. The review applicants were not parties to the original application; they have sought review as they considered themselves to be adversely prejudiced by the result of the original application. Reliance, in this connection, is placed upon the observations of the Tribunal contained in para 16 of the judgement where it was said that when the Union of India may take action to implement the judgement by issuing notice to all the officers likely to be affected, if such officers raised any question as to the non binding nature of the judgement on the ground that they were not parties to it, they might file a review application and when they had filed a review application, the implementation of the judgement would remain suspended till the review applications are decided.

2. When the case came up for hearing before this

Bench on 27.3.90, it was noticed that the statement of case in the application for review was insufficient for the purposes of an intelligible review. The learned counsel for the review applicants requested for and was allowed a week's time to file a Supplementary Affidavit to elucidate the case set up in para 9 of the Review Application. Upon the calling of such Supplementary Affidavit, the applicants in the original application were given liberty to file a reply within three days to which the review applicants were further given opportunity to file a rejoinder within three days thereof. The case was directed to be listed for disposal finally on the maintainability of the review application as also on the merits on 11.4.90. On the apprehensions expressed by the counsel for the original applicants, it was also directed that any further promotion of 1974 Batch to the IAS in the Super Time Scale would be subject to further orders of this Tribunal. The case was adjourned on 11.4.90 as there was no sitting. On 16.4.90 the case was adjourned for today on the request of the counsel for all the parties. No one is present today on behalf of the review applicants. Supplementary Affidavit as directed 27.3.90 was not filed by the review applicants. No one present on their behalf today while the counsel for the original applicants and also for the Department are present. No request has been made for any further time on behalf of the review applicants. In the circumstances, the Review Applications are dismissed and the interim orders contained in Original Judgement as well as in the order dt. 27.3.90 vacated.

W.D. Divanji
Member (A)

W.D. Divanji
Vice Chairman

At: the 20th April, 1990.

RKM