

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

LUCKNOW BENCH

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Review Application No. 397 of 1990

IN

Original Application No. 9 of 1990

this the 29th day of October, 1996.

HON'BLE MR V.K. SETH, ADMN. MEMBER
HON'BLE MR D.C. VERMA, JUDICIAL MEMBER

A.P. Chaturvedi.

Applicant

By Advocate : None

Versus

Union of India & others

Respondents

By Advocate : Sri D.R. Singh
Sri A. Srivastava

ORDER (ORAL)

V.K. SETH, MEMBER (A)

The petitioner has filed this Review petition against the judgment and order of this Tribunal dated 21.5.1990 passed in O.A. No. 9 of 1990.

2. Notices were issued to the respondents, who have filed their objections. Nobody was present on behalf of the petitioner when the matter was taken-up. There is also no application or request on his behalf for adjournment. In the circumstances, the Review petition is being considered on the basis of the contents of the petition, objections of the respondents and the submissions of the learned

3. Amongst the reasons advanced by the petitioner for review is that the applicant had moved an amendment application bearing No. 84/90 and the Hon'ble Bench without allowing the said amendment application and without providing an opportunity to the applicant, decided the matter. It is also contended that the fundamental right of the applicant was violated by the respondents.

4. The scope of review is limited and is confined to the grounds mentioned in the order 47 rule 1 of the CPC. The judgment of the Tribunal dated 21.5.90 challenged by this Review petition has dealt with the question of the amendment application. ~~xxx the question of limitation filed by x the applicant xxx~~ It also discusses the various facts and circumstances of the case and interalia observes that the order of adhoc promotion and cancellation took-place in 1982 and that the Tribunal was of the view that after a person had superannuated, the question of his adhoc promotion, six years earlier, could not be agitated.

5. The petitioner has not made any assertion to the effect that there was any error apparent on the face of the record of the judgment of the Tribunal or any other circumstances obtained which were covered by the parameters enumerated in the provisions of the order and rule of CPC mentioned above. In the circumstances, therefore, we hold that the petitioner has failed to make-out any case for review of the judgment and order dated 21.5.90. The Review petition is hereby rejected.