

CENTRAL ADMINISTRATIVE TRIBUNAL, LUCKNOW BENCH, LUCKNOW.

Review Application No.137 of 1991.

IN

T.A.No.1512 of 1987

Union of IndiaApplicant.

Versus

Sunder LaRespondent.

Hon'ble Mr.Justice U.C.Srivastava, V.C.

Hon'ble Mr.K.Obayya, A.M.

(By Hon'ble Mr.Justice U.C.Srivastava, V.C.)

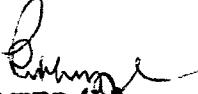
Union of India has filed time barred review application against the judgment and order dated 12.12.90 passed by a bench one of this Tribunal constituting Hon'ble Mr.K.Obayya, A.M. The review application has been filed on 25/26.3.91 along with the application for condonation of delay. According to the applicant, ~~xxxxxx~~, the counsel, who was earlier entrusted with the matter of filing review application, could not file the same and that is why it engaged another counsel and delay was caused due to this reason. Even if we accept that the cause shown is sufficient, even we do not find any good ground to interfere with the order which has been earlier passed by this Bench. The Bench has given the benefit of Circular dated 29.7.85 to the applicant which provided that

"Staff of all the abovementioned three categories viz. H.T.Cs, S.T.Es and Conductors- grade 425-640/Rs who worked on adhoc basis against regular vacancies during the period 1979 to 31.12.83 pending finalisation of selection/suitability test through viva-voce may be regularised from the date of their completing 18 months on adhoc service for the purpose of their seniority for promotion to the next higher grade."

2. The Tribunal held that the respondent was promoted as H.T.C even though in adhoc capacity in 1976 and he has been continuously working on the said

post till the reversion order was passed in 1976.

The plea which has been raised on behalf of Union of India, is that the respondent was reverted vide order 21.5.84 which order was stayed by the High Court and in case he would have continued to work as HTC after 21.5.84, and it is only on the basis of said order that no benefit of the same can be given. As a matter of fact, the benefit has been given to the respondent as he worked during the period between 1979 to December, 1983, i.e. before the reversion order was passed. Accordingly, we do not find any good ground to interfere with the order, passed by this Bench. Accordingly, the review application is dismissed.


MEMBER (A)


VICE CHAIRMAN.

DATED: NOVEMBER 20, 1992.

(ug)