

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

REVIEW PETITION NO.24/2001 IN  
O.A.105/2001.

DATED:22/6/2001

CORAM: HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN  
HON'BLE SMT. SHANTA SHAstry, MEMBER(J)

Shri Muralidhar Genuji Nehere ... Review Petitioner

v/s

Union of India & Ors. .... Respondents

(ORDER)

A review has been sought of the order dated 26/2/2001 in OA 105/2001 dismissing the same as being premature. The applicant had prayed to place him in Grade-I Draftsman Cadre from 6/7/78 notionally with financial benefit from 16/11/78 and to pay consequential benefits.

2. According to the review applicant, the Tribunal erroneously dismissed the OA as premature without considering it on facts and on merits. The Tribunal failed to consider the relief prayed for in para-8 of the OA and dismissed the OA basing the judgement merely on interim relief.

3. It is not correct to say that the Tribunal dismissed the OA merely on the basis of the interim relief overlooking the other prayers in the OA. Actually, the applicant was promoted to Grade-I with financial benefit from 16/11/78 vide order dated 17/7/98. Inspite of the impugned order dated 8/6/2000, a proposal was submitted to the appropriate authority showing the applicant in Grade-I for the period 6/7/78 to 31/3/87. The applicant's apprehension was his position which he was holding since July 78 was likely to be affected after such impugned

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orders were to be implemented. No cause of action has arisen so far to disturb his existing position. No new facts have been brought to our notice to consider a review.

4. The Review Application is therefore rejected.

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(SHANTA SHAstry)  
MEMBER(A)

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*Agarwal*

(ASHOK AGARWAL)  
CHAIRMAN