

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS THE 1ST DAY OF APRIL, 1987

Present : Hon'ble Justice K.S.Puttaswamy.. Vice Chairman

Hon'ble Shri P. Srinivasan .. Member

Application No. 1372/86

J.Ramanathan,  
(Rtd) Accounts Officer  
S/o. Jeevarathnam,  
R/o. No. 54, Domlur Layout,  
BANGALORE - 560 071.

... Applicant

(Shri G.A.Anthony Cruze, Advocate)

Vs.

1. The Union of India  
By its Secretary  
to the Government of India,  
Ministry of Finance,  
NEW DELHI.
2. The Financial Adviser,  
Defence Services,  
Finance Division,  
Ministry of Defence,  
NEW DELHI.
3. The Controller,  
General of Defence,  
Accounts,  
Ramakrishnapuram,  
NEW DELHI.

.. Respondents.

(Shri M.S.Padmarajaiah, Advocate)

This application has come up for hearing before this  
Tribunal today. Shri P.Srinivasan, Hon'ble Member <sup>(AM)</sup> made  
the following :

O R D E R

This is a transferred application received from  
the High Court of Karnataka. The application was  
fixed for hearing on several occasions when the



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applicant or his counsel did not appear or appeared and asked for adjournment. Finally the matter was fixed for today. In the morning, when the case was called, the Clerk of the applicant's counsel appeared and asked for an adjournment. He was told that no adjournment would be granted as an official from Delhi representing the respondents had come here with the records of the case. The official had also come with the records on 26th March 1987 when the applicant did not come. The case was called out in the afternoon several times, but neither the applicant nor his counsel was present till 4.45 p.m. Therefore, we have proceeded to deal with this matter with the assistance of Shri M.S.Padmarajaiah, the Senior Standing Counsel appearing on behalf of the respondents and Shri Someswaran, Section Officer of the Ministry of Defence.

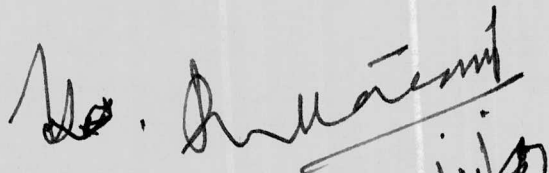
2. The applicant, who retired as an Accounts Officer in September 1983, filed this application as a Writ Petition in which he complained that he had not been promoted to the Indian Defence Accounts Service in 1978 and 1980 though he was eligible and qualified for such promotion. He also contended in his application that his character roll was at all material times very good and that there was no reason why he should not have been promoted to the Indian Defence Accounts Service.

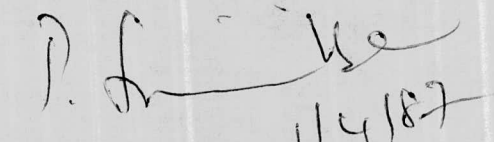
3. We have heard Shri Padmarajaiah and have

P. L. K.

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satisfied the grading of persons in the zone of consideration has been done carefully and only persons with better grades were preferred to the applicant for being called for interview and for being selected for promotion. In view of this, the applicant's grievance has no substance and we are satisfied that articles 14 and 16 of the Constitution have not been violated.

5. In the result, the application is dismissed.  
Parties to bear their own costs.

  
( K.S. PUTTASWAMY )  
VICE CHAIRMAN  
1.4.87

  
( P. SRINIVASAN )  
MEMBER (A)  
1.4.87

perused the records of the promotions made in 1978 and 1980 very carefully. So far as promotions made to the Indian Defence Accounts Service (IDAS) in 1978 are concerned, the applicant was no doubt in the zone of consideration and was one of the persons short-listed for interview. However, only 12 persons were selected and all the 12 persons were senior to the applicant. The number of vacancies available did not reach up to the applicant. There was a promotion in 1979 to IDAS and the applicant was not considered for promotion in that year as he himself states in the application because he was over-aged. The next promotion to IDAS was taken up in 1980 when the upper age limit was relaxed and the applicant again became eligible. The applicant was in the zone of consideration. 59 persons were short-listed for being called for interview on the basis of assessment of their character rolls. Within the last 5 years, the applicant was graded as very good in three years on the basis of his character rolls and as good for the other two years.. Since the selection was on the basis of merit, persons who were graded very good for all the five years or as outstanding and very good were short-listed for being called for interview and the applicant was left out in the process. Since he was not short-listed for being called for interview, his name naturally did not find a place in the final selection list..

4. After careful scrutiny of the records we are

*P. H. - the*



CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

REVIEW APPLICATION No. 45/87  
IN APPLICATION NO. 1372/86(T)  
(WP.NO. 5564/84 )

COMMERCIAL COMPLEX, (BDA)  
INDIRANAGAR,  
BANGALORE-560 038.

DATED: 3-6-87

APPLICANT

vs

RESPONDENTS

Shri J. Ramanathan

The Secy, M/o Finance and 2 Ors

TO


1. Shri J. Ramanathan  
No. 54, Domlur Layout  
Bangalore - 560 071
2. Shri G.A. Anthony Cruze  
Advocate  
No. 24, L.M. Street  
(Beside) Commercial Street  
Bangalore - 560 001

SUBJECT: SENDING COPIES OF ORDER PASSED BY THE  
BENCH IN APPLICATION NO. 45/87  
REVIEW

....

Please find enclosed herewith the copy of the Order  
passed by this Tribunal in the above said Application on  
27-5-87.

ENCL: As above.

  
for DEPUTY REGISTRAR  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS THE TWENTY SEVENTH DAY OF MAY 1987

Present : Hon'ble Shri Justice K.S. Puttaswamy ... Vice-Chairman

Hon'ble Shri P. Srinivasan ... Member (A)

REVIEW APPLICATION No.45/87

J.Ramanathan,  
No.54, Domlur Layout,  
Bangalore-560 071.

... Applicant

V.

The Union of India  
by its Secretary,  
Ministry of Finance,  
New Delhi.

The Financial Adviser,  
Defence Services,  
Finance Division,  
Ministry of Defence,  
New Delhi.

The Controller General of Defence Accounts,  
R.K. Puram, New Delhi.

... Respondents.

This Review application came up for admission before this  
Tribunal today. Hon'ble Vice Chairman made the following:

O R D E R

Case called. Shri J. Ramanathan applicant in the case submits  
that he may be heard in support of his application and the case decided.  
We have heard the applicant.

2. In this application made under Section 22(3)(f) of the Administrative  
Tribunals Act, 1985, the applicant who was also the applicant in the  
original application, has sought for a review of our order made on  
1.4.1987 dismissing his application No.1372/86.

3. In his original application which was a transferred application  
from the High Court of Karnataka the applicant has challenged his  
non selection from the cadre of Accounts Officer to the Indian Defence  
Accounts Services Group A in the years 1978 and 1980. On 1.4.1987,  
the applicant and his learned counsel were absent. But notwithstanding  
the same we examined the papers including the original papers relating



to the non selection of the applicant on the two occasions and found that his challenge against his nonselection in 1978 and 1980 was not merited. On that view we dismissed the application by a considered order.

*this Review*  
4. In ~~the original~~ application the applicant is virtually asking us to reexamine our order as if we are a court of appeal against our own order. We are of the view that every one of the grounds urged in the application and reiterated before us with considerable zeal and emphasis do not disclose an error apparent on the face of the record or disclose any other ground that justifiably falls within the purview of order 47 of Rule 1 of CPC. In an application for review it is not open to this Tribunal to reexamine its own order and come to a different conclusion. In this view this application is liable to be rejected at the admission stage.

5. We, therefore, reject this application at the admission stage without reference to the Respondents.



bsv

Sd/-

VICE CHAIRMAN

27/9/87

Sd/-

MEMBER (A)

- True copy -

*Ra Chy 2/6/87*  
SECTION OFFICER  
CENTRAL ADMINISTRATIVE TRIBUNAL  
ADDITIONAL BENCH  
BANGALORE