

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH BANGALORE

DATED THIS THE 5TH NOVEMBER 1986

Present: Hon'ble Shri Ch. Ramakrishna Rao Member(J)  
Hon'ble Shri P. Srinivasan Member(AM)

R. APPLICATION NO. 3/86

M. Manoharan,  
S/o. Muniswamy,  
Draughtsman, Grade-I,  
Gas Turbine Research Establishment,  
Jeevanbheemanagar,  
Bangalore-560 075.

Applicant

(Shri M. Narayanaswamy, Advocate)

Vs.

1. The Union of India  
represented by its Secretary,  
Ministry of Defence,  
South Block,  
New Delhi-11.
2. The Scientific Adviser,  
Raksha Mantri,  
South Block,  
New Delhi-11.
3. The Director,  
Gas Turbine Research Establishment,  
Jeevanbheemanagar Post,  
Bangalore.
4. The Director,  
Aeronautical Development  
Establishment,  
Jeevanbheemanagar Post,  
Bangalore.
5. P.K. Raja Rao,  
Chief Draughtsman,  
GTRE, Bangalore-75.
6. T.B. Devanath,  
Draughtsman Grade-I,  
GTRE, Bangalore-75.
7. Prabhakaran, ADE,  
Jeevanbheemanagar Post,  
Bangalore.

*P. Srinivasan*

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8. K.S. John,  
Draughtsman, Grade-I,  
GTRE, Bangalore-75.
9. G.M. Shashikumar,  
Draughtsman, Grade-I,  
ADE, Jeevanbheemanagar Post,  
Bangalore-75.
10. C.H. Sridharan,  
Draughtsman Grade-I,  
GTRE, Bangalore-75.
11. K. Krishnamurthy,  
Draughtsman Grade-I,  
GTRE, Bangalore-75.
12. V. Jayavelu Chamy,  
Draughtsman Grade-I,  
GTRE, Bangalore-75.
13. M.S. Nagendranath,  
Draughtsman Grade-I,  
ADE,  
Jeevanbheemanagar Post,  
Bangalore-75.
14. G. Kanan,  
Draughtsman Grade-I,  
GTRE, Bangalore-75.
15. S.S. Nair,  
Draughtsman Grade-I,  
GTRE, BANGALORE-75.
16. B. Gangadharaiiah,  
Draughtsman, Grade-I,  
ADE,  
Jeevanbheemanagar Post,  
Bangalore-75.
17. T.K. Balaramu,  
Draughtsman, Grade-I,  
ADE, Jeevanbheemanagar Post,  
Bangalore-75.
18. M. Maridevaru,  
Draughtsman, Grade-I,  
ADE, Jeevanbheemanagar Post,  
Bangalore-75.

Respondents

(Shri M.V. Rao, Advocate)

The application has come up for hearing before  
this Tribunal today, Member(AM) made the following:

ORDER

*P. S. V. K. e*

....3/-

By this application for review, the applicant wants us to review our order in Application No.1292/86 passed on 5.9.1986.

2. In the aforesaid application No.1292 of 1986, the applicant, who is working as Draftsman Gr.I in the Methods and Tool Designs Group at the Gas Turbine Research Establishment, Bangalore, made two prayers. The first one was that his seniority in the grade of Draftsman Grade I should be revised upwards placing him above Shri P.K. Raja Rao. The second prayer was that after revision of his seniority as prayed, he should be considered for promotion to the higher grade of Chief Draftsman with effect from the same date on which Shri P. K. Raja Rao was considered and promoted. During the course of hearing of the application we were informed by both sides that the seniority of the applicant had been fixed by the respondents, above Shri P.K. Raja Rao thereby remedying the first grievance of the applicant. We were also informed that the case of the applicant for promotion with effect from 15.3.1982 - the date from which Shri P.K. Raja Rao was promoted - to the higher post of Chief Draftsman was also considered by the DPC which however found him unfit for promotion. Since the prayer was that the applicant should be considered for promotion as on 15.3.82 in his revised position of seniority and that consideration had already taken place, we considered this prayer also as having become redundant.

P. S. K. Rao

...4/-

3. Shri Narayanaswamy, learned counsel for the applicant contended before us that the consideration of the applicant for promotion with effect from 15.3.82 was not a proper consideration and that his merit was not properly assessed in the DPC vis-a-vis Shri P.K. Raja Rao. He also contended that in the subsequent DPCs also the applicant's merits were not properly assessed.

4. Shri M. Vasudeva Rao, learned counsel for the respondents resists the contention of Shri Narayanaswamy and contends that there is no case for review of the earlier Order.

5. We do not think that the applicant has made out a case for review of the original Order because that Order was passed in respect of the prayers made in the application. If the applicant feels that the Departmental Promotion Committee went wrong in assessing his merit or that there was any legal flaw in the proceedings of the Departmental Promotion Committee, that would be a separate issue which the applicant can agitate by a separate application if he deems fit to do so.

6. In view of the above, this application is dismissed. No order as to costs.



(P. Srinivasan)  
Member (AM)



(Ch. Ramakrishna Rao)  
Member (Judl.)