

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 11-6-87

REVIEW APPLICATION NO.
IN APPLICATION NO.

38/87

497/86(T)

Applicant

U.O.I. by Secy, M/o Defence & 2 Ors

V/s Shri R.P. Joshi & 17 Ors

To

1. The Secretary
Ministry of Defence
South Block
New Delhi - 110 001

7. Shri N.C. Sasmal
Scientist 'E'
G.T.R.E.
Suranjandas Road
Bangalore - 560 075

2. The Scientific Adviser
to Raksha Mantri
South Block
New Delhi - 110 011

8. Shri Issac Natta
Junior Scientific Officer
D.R.D.L.
Hyderabad

3. The Director
Gas Turbine Research Establishment
Suranjandas Road
Jeevan Bimnagar Post
Bangalore - 560 075

9. Shri Subodh Joshi
Junior Scientific Officer
Agricultural Research Unit
Almora, Uttar Pradesh

4. Shri M. Vasudeva Rao
Addl Central Govt. Stng Counsel
High Court Buildings
Bangalore - 560 001

10. Shri D.C. Gupta
Scientific Officer
D.E.S.I. DOC,
Met Calf House
Delhi - 110 054

5. Shri R.P. Joshi
Senior Scientific Officer
G.T.R.E.
Suranjandas Road
Bangalore - 560 075

11. Shri K.V.S. Panduranga Rao
Junior Scientific Officer
D.L.R.L.
Hyderabad

6. Shri R.C. Mishra
Director Grade - II
G.T.R.E.
Suranjandas Road
Bangalore - 560 075

12. Shri S.K. Gupta
Junior Scientific Officer
D.M.R.L.
Hyderabad

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

DATED THIS THE SECOND DAY OF JUNE, 1987

Present : Hon'ble Justice Shri K.S. Puttaswamy

... Vice-Chairman

Hon'ble Shri P. Srinivasan

.. Member (A)

REVIEW APPLICATION NO. 38/87

Union of India by
its Secretary,
Ministry of Defence,
South Block,
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The Scientific Adviser,
to Raksha Mantri,
South Block,
New Delhi - 110 011.

The Director,
Gas Turbine Research Establishment,
Suranjandas Road,
Jeevan Bimanagar Post,
Bangalore-560 075.

... Applicants

(Shri M. Vasudeva Rao ... Advocate)

V.

R.P. Joshi,
S.S.O.,
G.T.R.E.,
Bangalore.

R.C. Mishra,
Director Grade II,
G.T.R.E.,
Suranjandas Road,
Bangalore-75.

N.C. Sasmal, Scientist E,
GTRE, Suranjandas Road, B'lore-75

Issac Natta,
Junior Scientific Officer,
D.R.D.L. Hyderabad.

Subodh Joshi,
Junior Scientific Officer,
Agrl. Research Unit,
Almora (U.P.)

D.C. Gupta,
Scientific Officer,
D.E.S.I. Doc,
Met Calf House,
New Delhi-110 054.

K.V.S. Panduranga Rao,
Jr. Scientific Officer,
DLRL, Hyderabad.

S.K. Gupta,
Junior Scientific Officer,
D.M.P.L. Hyderabad.

R.R. Arjungi,
Junior Scientific Officer,
G.T.R.E., Bangalore-75.

K. Gangadhar Rao,
Junior Scientific Officer,
G.T.R.E.,
Bangalore-75.

V. Muri Swamy,
Junior Scientific Officer,
A.D.E.,
Bangalore-75.

P.K. Mallick, Jr. Scientific Officer,
A.D.E., Bangalore.

Jaderudraiah,
Junior Scientific Officer,
A.D.E.,
Bangalore-75.

C. Sanmugam,
Jr. Scientific Officer,
G.T.R.E.,
Bangalore-75.

A. N. Narasimhan,
Junior Scientific Officer,
A.D.E.,
Bangalore-75.

S. Sri Ramu,
Junior Scientific Officer,
G.T.R.E.,
Bangalore-75.

S.K. Batia,
Jr. Scientific Officer,
RPDE (E),
Pune.

C. Guru Murthy,
Jr. Scientific Officer,
C.V.R.D.E.,
Madras.

... Respondents.

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

O R D E R

In this application made under Section 22(3)(f) of the Administrative Tribunals Act, 1985 (the Act) the applicants have sought for a review of an order made on 17th March 1987 in A No.497/1986 by a

Division Bench of this Tribunal consisting of one of us
Shri P. Srinivasan, (AM) and Shri Ch. Ramakrishna Rao (JM).

2. The applicants in this review application were Respondents
1 to 3 and Respondent No.1 herein was the applicant in A No.497/86
which was a transferred application received from the High
Court of Karnataka.

3. In Application No.497/86 Respondent 1 had challenged his
non-promotion and promotion of others arrayed as respondents
No.4 to 21 to the post of Junior Scientific Officer (JSO) principally
on the ground that The Defence Research and Development Organisation
(Junior Scientific Officers) Recruitment Rules 1980 (DRDO Rules)
had not altered the position for making promotion prior to their
promulgation. On an examination of the same, this Tribunal speaking
through one of us Sri P. Srinivasan (AM) had expressed its view
and had granted relief to Respondent No.1 as indicated in its
order.

4. In this review application, the applicants are asking us to
reexamine that very view and take a different view. We will assume,
that the view canvassed by the applicants for the various reasons
urged by them before us is also the better view. But then also,
that will not constitute an apparent error to justify us to review
the earlier order made by this Tribunal as if we are a court of
appeal. From this it follows that this application for review
cannot be admitted. We, therefore, reject this application for
review without waiting for service of notices in pursuance of
the earlier order on 22.4.1987.

[Signature]
VICE CHAIRMAN
2/6/87

[Signature]
MEMBER (A)
2/6/87

- | | |
|---|--|
| 13. Shri R.R. Arjungi
Junior Scientific Officer
G.T.R.E.
Bangalore - 560 075 | 18. Shri C. Sanmugam
Junior Scientific Officer
G.T.R.E.
Suranjandas Road
Bangalore - 560 075 |
| 14. Shri K. Gangadhar Rao
Junior Scientific Officer
G.T.R.E.
Suranjandas Road
Bangalore - 560 075 | 19. Shri A.N. Narasimhan
Junior Scientific Officer
A.D.E.
Bangalore - 560 075 |
| 15. Shri V. Muri Swamy
Junior Scientific Officer
A.D.E.
Bangalore - 560 075 | 20. Shri S. Sri Ramu
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Suranjandas Road
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| 16. Shri P.K. Mallick
Junior Scientific Officer
A.D.E.
Bangalore - 560 075 | 21. Shri S.K. Bhatia
Junior Scientific Officer
RPDE(E), Pune |
| 17. Shri Jaderudraiah
Junior Scientific Officer
A.D.E.
Bangalore - 560 075 | 22. Shri C. Guru Murthy
Junior Scientific Officer
C.V.R.D.E.
Madras |

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SUBJECT : SENDING COPIES OF ORDER PASSED BY THE BENCH IN
REVIEW APPLICATION NO. 38/87

Please find enclosed herewith the copy of the Order passed by this Tribunal
in the above said Application on 2-6-87.

[Signature]
SECTION OFFICER
(JUDICIAL)

Encl : As above

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15/6/87

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12/6/87
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-True Copy-

[Signature]
SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

[Signature] VICE CHAIRMAN
[Signature] MEMBER (A)