

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
2. The Scientific Adviser
to Raksha Mantri
South Block
New Delhi - 110 011
3. The Director
Gas Turbine Research Establishment
Suranjanadas Road
Jeevan Binnagar Post
Bangalore - 560 075
4. Shri M. Vasudeva Rao
Addl Central Govt. Stng Counsel
High Court Buildings
Bangalore - 560 001
5. Shri R.P. Joshi
Senior Scientific Officer
G.T.R.E.
Suranjanadas Road
Bangalore - 560 075
6. Shri R.C. Mishra
Director Grade - II
G.T.R.E.
Suranjanadas Road
Bangalore - 560 075
7. Shri N.C. Sasmal
Scientist 'E'
G.T.R.E.
Suranjanadas Road
Bangalore - 560 075
8. Shri Issac Natta
Junior Scientific Officer
D.R.D.L.
Hyderabad
9. Shri Subodh Joshi
Junior Scientific Officer
Agricultural Research Unit
Almora, Uttar Pradesh
10. Shri D.C. Gupta
Scientific Officer
D.E.S.I. DOC,
Met Calf House
Delhi - 110 054
11. Shri K.V.S. Panduranga Rao
Junior Scientific Officer
D.L.R.L.
Hyderabad
12. Shri S.K. Gupta
Junior Scientific Officer
D.M.R.L.
Hyderabad

Of

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,
New Delhi - 110 001.

The Scientific Adviser,
to Raksha Mantri,
South Block,
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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.

Issac Natta, N.C.Sasmal, Scientist E,
Junior Scientific Officer, GTRE, Suranjandas Road, B'llore-75
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. Gipta,
Junior Scientific Officer,
D.M.R.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.B.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.

Shri P. Srinivasan P. Srinivasan
2/6/87
VICE CHAIRMAN 2/6/87
MEMBER (A)

13. Shri R.R. Arjungi
Junior Scientific Officer
G.T.R.E.
Bangalore - 560 075

14. Shri K. Gangadhar Rao
Junior Scientific Officer
G.T.R.E.
Suranjandas Road
Bangalore - 560 075

15. Shri V. Muri Swamy
Junior Scientific Officer
A.D.E.
Bangalore - 560 075

16. Shri P.K. Mallick
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20. Shri S. Sri Ramu
Junior Scientific Officer
G.T.R.E.
Suranjandas Road
Bangalore - 560 075

21. Shri S.K. Bhatia
Junior Scientific Officer
RPDE(E), Pune

22. Shri C. Guru Murthy
Junior Scientific Officer
C.V.R.D.E.
Madras

* * * *

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

[Handwritten notes and signatures]
J. R.
J. S.
Please move to all
S. J.
15/6/87

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

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True Copy

[Signature]
SECTION OFFICER //A
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE

Sd/- Sd/-
VICE CHAIRMAN MEMBER (A)
21/6/87