

(14)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH, "GULESPAN" BUILDING NO.6
PRESCOT ROAD, BOMBAY-1

REVIEW PETITION NO. 20/1992
IN
O.A. NO. 778/90

1. Government of Goa
through Chief Secretary
2. Secretary (Health)
Secretariat, Panaji, Goa
3. Dean, Goa Medical College
Panaji, Goa

..Applicants/
Petitioners

V/s.

Shri Shaikh Hassan
C/o. Mrs. Sulekah Bi Chaikh
Residing at House No.E-160
Ward no.9; Boca da Vaca;
Panaji; Goa

Shri Juvenal Torres
Goa Medical College
Panaji; Goa

..Respondents
(Applicants in
OA 778/90)

Coram: Hon.Shri Justice U C Srivastava, VC
Hon.Shri M Y Priolkar, Member (A)

TRIBUNALS ORDER (BY CIRCULATION)
(PER: Hon.Justice U C Srivastava, V.C.)

DATED: 30.3.92 ✓

This is a review petition against our judgment and order dated 27.8.1991 which has been filed by Government of Goa and Others who were respondents to the Original Application No. 778/90. The case was heard and disposed off after hearing the parties. The review petition has been directed on the ground of discovery of new matter or evidence which was after the exercise of due diligence which was not within their knowledge and could not be produced at the time of argument when the judgment was passed and on account of the same mistake and error are on the face of record which has to be corrected. The plea which has been and deserves to be rejected taken cannot be accepted because the Government of Goa, Secretary and Dean of Medical College, Goa, were not aware of any Government instruction regarding promotions which must have been used by them while promoting respon-

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dent no.2 to this application. The review does not need hearing and hence the review petition is being disposed of by circulation.

We rejected one prayer of ~~applicant's no. 11~~ but allowed the application only on one ground. We took into consideration the relevant rules regarding seniority and asked the Government Counsel to show us the rules by which LDC/^{with special pay} could be equated to UDC without any specific orders of Government equating these two posts, and that was not pointed out. In the Review application also the same has not been pointed out.

We, therefore, do not find any merit in the application and therefore the review petition is rejected.



(M Y PRIOLKAR)
MEMBER (A)



(U C SRIVASTAVA)
VICE CHAIRMAN