

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

R.P. No. 28/97 in DA. No. 367/92

Dated this the 21st day of July, 1997.

CORAM: Hon'ble Shri B. S. Hegde, Member (J)

Hon'ble Shri P. P. Srivastava, Member (A)

Sunil Moreshwar Vaidya Applicant

V/s.

Union of India & Ors. Respondents

Tribunal's Order

1. This is a Review Petition in DA. No. 367/92 judgement in which case delivered on 13.9.1996. The Review Petitioners were not parties in the DA. The main group of the Review Petitioners is that they will be adversely affected by the judgement of the Tribunal in DA. No. 367/92 by which the applicant in that DA. Shri Vaidya has been granted some relief. The case of the review Petitioners is that if the judgement is implemented in favour of the applicant in the DA., the seniority of the review petitioners will be adversely affected.

2. The applicant in the DA. was a released Emergency Commissioned Officer and the issue involved was a ground of seniority as a result of the orders of the State Government granting certain benefits of the seniority to the released Emergency Commissioned Officers. The review Petitioners in this case are not released emergency commissioned officers and therefore this is not a case where the review petitioners could claim relief. In case of the review petitioners does not touch the issue involved in petitioners does not touch the issue involved in the DA. and the decision rendered therein, but the

thrust of the review petitioners is if the decision in the DA is implemented, the applicant will get the seniority above the review petitioners. We do not think that this is a sufficient ground for the review of the decision because nothing has been brought out in the review position which will affect the judgement which we have already given in the DA. The review petitioners have not brought out any error apparent on the face of the record except saying that they were not party although they were likely to be adversely affected. We do not consider that the issue brought out in the review petition warrant any review of the judgement. In view of this, we do not see any merit in the review petition and the same is dismissed in limine.

(P. P. SRIVASTAVA)
MEMBER (A)

(B. S. HEGDE)
MEMBER (J)

mr.j.

No. CAT/MUM/JUDL/DA367/92/5637

Date: 23/7/97

Copy to:-

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2. Shri M.I. Sethna, Counsel for the respondents.

S.O.

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