

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BOMBAY BENCH  
CAMP AT NAGPUR

Original Application No.48/94.

Thursday the 30th day of January 1997.

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

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

Bhaurao Gomaji Wasink  
Diesel Mechanic Gr.I  
South Eastern Railway  
Mechanical Department  
Nagpur.

P.Ch. Patrudu  
Diesel Machanic Gr.II  
South Eastern Railway  
Mechanical Department  
Nagpur.

... Applicants.

By Advocate Shri C.S.Taide.

V/s.

Union of India through  
General Manager,  
South Eastern Railway  
Garden Reach, Calcutta.

Divisional Railway Manager  
South Eastern Railway  
Nagpur.

Divisional Mechanical Engineer  
(Diesel) South Eastern Railway  
Motibagh, Nagpur.

Divisional Personal Officer  
South Eastern Railway  
Nagpur.

... Respondents.

By Advocate Shri P.S. Lambat.

O R D E R (ORAL)

{Per Shri B.S. Hegde, Member(J)}

Heard the counsel for the parties.

In this O.A. the applicants have not challenged any impugned order of the respondents. The learned counsel for the applicant states that as per 25% quota for the intermediate apprentice Chargeman 'B' the applicants should have been absorbed regularly after the successful completion of the training period.

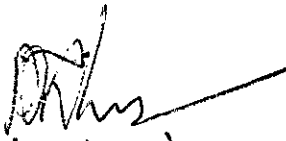
The respondents in their reply in para 11 stated that the applicants were sent for training


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for the post of Chargeman Gr. 'B' from 21.11.90 to 29.11.92. The senior most persons from Mechanical Grade I, II, and III were promoted to the said post, who were senior to the applicants. The applicants were promoted to the post of Chargeman Grade 'B' with effect from 2/7.12.94. It is not the case of the applicants that ny of their juniors have been promoted to the post of Chargeman Grade 'B' prior to applicants, therefore, the applicants cannot challenge the promotion of senior persons. The applicants were qualified for the post of chargeman Grade 'B' on completion of their training on 29.11.92 and not prior to that date.

During the course of hearing, the leanned counsel for the applicant has drawn our attention to the circular at Annexure R-1, wherein the applicants were given increments from 1.12.90 to 1.12.92, and from 1992 to 1994 the applicants were not given any increments and submitted that no vacancy arose during that period. Thereafter, the applicants were promoted in the year 1994 and were given increment.

For the reasons stated above, we do not see any merit in the O.A. and accordingly the O.A. is dismissed, No order as to costs.

  
(P.P. Srivastava)  
Member(A)

  
(B.S. Hegde)  
Member(J)

CENTRAL ADMINISTRATIVE TRIBUNAL

MUMBAI BENCH

R.P. NO.: (N) 8/97 IN O.A. NO. 48/94.

Dated this Tuesday the 15th day of JULY, 1997.

CORAM : HON'BLE SHRI B. S. HEGDE, MEMBER (J).  
HON'BLE SHRI P. P. SRIVASTAVA, MEMBER (A).

Shri Bhaurao Gomaji Wasnik & Anr. ... Applicants

VERSUS

Union Of India & Others ... Respondents.

TRIBUNAL'S ORDER BY CIRCULATION :

¶ PER.: SHRI B. S. HEGDE, MEMBER (J) ¶

The a-pplicants have filed this review petition seeking review of the judgement/order of the Tribunal dated 30.01.1997. On perusal of the review petition, we find that the applicants have reiterated the same grounds in which they were convassed before the Tribunal when the O.A. was argued. The prayer made in the review petition is to reconsider and re-examine the records of the original application no. 48/94 and to allow this application for review of order dated 30.01.1997.

2. The scope of the review application is very limited and is confined to certain areas, which are not conversed before us. It is not open to the applicants to reargue the case by filing a review application. The grounds made out in the review petition are fit for preferring an appeal before an appropriate forum against the order of the Tribunal.


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3. We do not find any merit in the review petition and accordingly the same is dismissed by circulation.

  
(P.P. SRIVASTAVA)

MEMBER (A).

  
(B. S. HEGDE)

MEMBER (J).

OS\*