

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL.
MUMBAI BENCH, MUMBAI.

REVIEW PETITION NO. 2/99
IN
ORIGINAL APPLICATION NO. 746/98.

DATED: 25/1/1999.

Coram: Hon'ble Shri Justice R.G.Vaidyanatha, Vice-Chairman,
Hon'ble Shri D.S.Baweja, Member(A).

1. The Union of India,
Through the Director General,
Department of Telecommunications,
Sanchar Bhavan,
New Delhi.
2. The Chief General Manager,
Mahanagar Telephone Nigam Ltd.,
Telephone House, Prabhadevi,
Mumbai - 400 028.
3. The Assistant General Manager (A),
MTNL, Mumbai Telephone House,
Prabhadevi,
Mumbai - 400 028. Applicant.

V/s.

1. S.M.Survase,
through his Advocate
Shri S.P.Kulkarni,
CAT, Mumbai. Respondent.

: ORDER ON REVIEW PETITION BY CIRCULATION :

This is a Review Petition filed by the Respondents for review of our order dt. 30.10.1998. We have perused the Review Petition and the entire case file.

2. In our order dt. 30.10.1998 while confirming the interim order, we have used the words that though the applicant was working on promotion on local officiating basis, he has now been promoted "regularly" by order dated 6.7.1998.

The respondents review petition is that there is an apparent error on record in using the words that applicant had been "regularly" promoted by order

...2.



dt. 6.7.1998 since the orders dt. 6.7.1998 does not indicate that it is a regular promotion.

After perusing the materials on record we find that there is substance in the respondents review petition.

In fact in the final order disposing of the OA by us dt. 4.12.1998 we have used the word that since the applicant has now been issued with a fresh order of local officiating promotion, the O.A. does not survive. But, in our earlier interim order dt. 30.10.1998 we have used the words 'regular promotion'.

• In fact, the applicant himself has produced the order dt. 6.7.1998, along with his M.P. 750/98. A perusal of the order dt. 6.7.1998 shows that the officers mentioned therein have been promoted on officiating basis and further the promotions are stated to be temporary and ad-hoc. Therefore, our observation in the order dt. 30.10.1998 that the applicants promotion was a "regular" promotion is an apparent error on record. Both the parties have produced the order dt. 6.7.1998 which clearly shows that it is an officiating promotion and further it is temporary and ad-hoc. Hence, the words used by us as "regular" promotion in the order dt. 30.10.1998 requires to be modified.

• There is no necessity of issuing any notice for hearing of the R.P. since the mistake is an apparent error on record and the mistake has to be rectified.

3. For the above reasons R.P. 2/99 is hereby allowed. In our order dated 30.10.1998, in the 10th sentence of para 3 the word 'regularly' be deleted. R.P. is disposed of accordingly.


(D.S. BAWEJA)
MEMBER(A)


(R.G. VAIDYANATHA)
VICE-CHAIRMAN