

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

Date of Order; 10-12-93

R.P. No.88/93 in  
T.A. No.875/86

K.L. KANKARIA & ORS. V/s. UNION OF INDIA & ANR.

CORAM:

HON'BLE MR. B.B. MAHAJAN, MEMBER (A).  
HON'BLE MR. GOPAL KRISHNA, MEMBER (J).

ORDER

PER HON'BLR MR. B.B. MAHAJAN, MEMBER (A).

We have considered this Review Petition under Rule 17(3) of the Central Administrative Tribunals (Procedure) Rules, 1987.

2. In our order dated 24.8.93 it was held that no relief could be given to the applicants against the order dated 1.3.82, by which persons junior to them had been promoted, as that order had not been impugned through any amendment in the TA and S/Shri Simlot and Gehlot, who had been promoted by that order, had not been impleaded as respondents. The petitioners have stated that the fact that the suit was filed on 27.2.82 i.e. prior to 1.3.82 had escaped the notice of the Tribunal. This is obviously not correct as it has been mentioned in the order that the order dated 1.3.82 had not been impugned by an amendment to the suit which had subsequently been registered as TA. It has also been stated in the petition that before the order dated 24.8.93 was passed, all the three juniors of the applicant had retired from service viz. S/Shri Gehlot, Arora and Simlot from 31.7.83, 31.3.83 and 30.6.91. It, however, does not follow from this that they were <sup>not</sup> necessary parties to the suit/TA when their orders of promotion dated 1.3.82 were being impugned.

3. No error apparent on the face of the record has thus been shown to exist which may justify reopening the case in ~~the view~~ <sup>Review</sup> under Order 47 Rule 1 CPC. The Review Petition is accordingly dismissed in limine.

Gopal Krishna  
( GOPAL KRISHNA )  
MEMBER (J)

B. B. Malajan  
( B.B. MALAJAN )  
MEMBER (A)