

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

RA 44/94
(MA 292/94)
(OA 653/92)

: Date of order 3.8.94

Balbeer & Others : Applicants

V/s

Union of India & Others : Respondents

None present for the applicants (in OA)

None present for the respondents nos. 1-3 (in OA)

Mr. S.C. Sethi : Counsel for the respondents
nos. 4-9 (in OA)

CORAM

Hon'ble Mr. Gopal Krishna, Member (Judicial)


Hon'ble Mr. O.P. Sharma, Member (Administrative)


PER HON'BLE MR. GOPAL KRISHNA, MEMBER (JUDICIAL)

This is a Review Application filed on behalf of S/Shri Balbeer, Kedar Nath, Vidya Ram, Chandan Singh, Bajruddin, Ram Prakash, Jeel John, Nanney Khan, Ali Mohd., Shri Niwas and Ramesh Chandra under Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987, seeking a review of the order passed by this Bench of the Tribunal in OA No. 553/92 on 24.3.94 on the ground that the order is per-incuriam, unjust, improper and against statutory provisions. It is urged on behalf of the applicants in this Review Application that the seniority of casual labourers is determined from the date of joining and not on the basis of working days, and such seniority is maintained Inspector-wise. It is also stated that the provisions of Section 25(H) of the Industrial Disputes Act were not considered by this Tribunal while disposing of the OA. The Review Petition lies in case there is an error apparent on the face of record or if any new matter is brought out which after exercising due diligence ^{at the relevant time} could not be available to the applicant or on any other ground analogous to these. The power of review may not be exercised on the ground that the decision was erroneous on merits.

CKM

We find no reasons justifying a review of the order in question. Even if the MA for condonation of delay were to be allowed, the Review Application is not maintainable on merits, and the same is dismissed.


(O.P. SHARMA)
MEMBER (A)


(GOPAL KRISHNA)
MEMBER (J)