

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

R.A.No.58/94
M.A.No.392/94

Dt. of order: 5.10.'94

Union of India & Ors. : Petitioners

Vs.

Nathu Lal : Respondent

Mr.Manish Bhandari : Counsel for petitioners

CORAM:

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

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

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

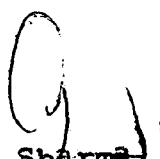
This Review Petition under Rule 17 of the Central Administrative Tribunals (Procedure) Rules 1987, is directed against the order passed by this Tribunal in O.A.No.485/92 decided on 15.4.'94.

2. We have heard the counsel for the petitioners. The learned counsel for the petitioners has urged that during the course of the compliance of the impugned order it came to light that the respondent was not given a regular promotion in the year 1982 vide letter dated 13.5.'82. In fact he was promoted as TCM Gr.III(LW) purely on ad hoc basis. Subsequently vide letter dated 16.3.'84, the respondent was reverted to his substantive post of Helper Rs.196-232(R). The learned counsel for the petitioners further urged that keeping in view the provisions contained in the Indian Railway Establishment Manual, the respondent could not be given seniority on the post unless he is regularly selected. The ground of review is that the order being contrary to the provisions of the IREM and to the facts, deserves to be reviewed. The points raised on behalf of the petitioners were duly considered while deciding the O.A. in question. A review does not lie merely on the ground that the judgment is contrary to law or it is erroneous on merit. The grounds stated in the application for review should have been raised when the O.A. in question was heard.

C.Kishore

3. In the circumstances, we find no good reasons for reviewing the earlier decision. The review petition is, therefore, dismissed in limine.

4. The M.A. for condonation of delay stands accordingly disposed of.


(O.P. Sharma)
Member(A).


(Gopal Krishna)
Member(J).