

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

* * *

Date of Order : 6-9-95.

R.A. No.28/95 (OA No.162/94)

Badri Lal Gupta v. Union of India & Ors.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

HON'BLE MR. O.P. SHARMA, MEMBER (A)

O R D E R


PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Petitioner Badri Lal Gupta, in this petition u/r 17 of the Central Administrative Tribunal (Procedure) Rules, 1987, has sought a review of the order dated 13.2.95 passed in OA No.162/94.

2. The contention of the petitioner is that the penalty of withholding of one increment for a period of two years was imposed on him on 27.4.88 but the fact that this penalty was reduced to that of stoppage of one increment for three months without cumulative effect by the appellate authority vide order dated 3.7.88 at Annexure A-2 was lost sight of by the Tribunal and, therefore, there has been an error of fact and law justifying a review of the impugned order. It is pertinent to note that another penalty of withholding of one increment for three years was also imposed on the petitioner on 27.4.89. It is stated in the decision of the Tribunal that the Departmental Promotion Committee had recommended EB crossing by the petitioner with retrospective effect i.e. from 1.7.88 but these recommendations were not accepted by the controlling authority. Since the applicant was found by the Tribunal to be entitled to have his case considered for crossing of the EB from a date after the expiry of the currency period of the last penalty imposed on him, a direction was issued to the respondents to convene a review DPC and consider the petitioner's case for crossing of the EB with effect from the date as mentioned above. The pleas raised by the petitioner at the time of the hearing of the OA were duly considered and examined. We do not find any error apparent on the face of record or any other analogous ground warranting any interference in the impugned decision by way of review.

C.Krishna

3. This Review Petition is, therefore, dismissed in limine.


(O.P. SHARMA)
MEMBER (A)


(GOPAL KRISHNA)
VICE CHAIRMAN