

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR.

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Date of Order: 17.11.95.

RA 63/95 (OA 202/91)

P.P. Yadav, K.M. Mathur, Nirmal Kumar Jain and P.K. Mathur

... Petitioners.

Versus

Union of India and another

... Respondents.

CORAM:

HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

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

O R D E R

PER HON'BLE MR. GOPAL KRISHNA, VICE CHAIRMAN

Petitioners, named above, have filed this Review Petition u/s 22(f) of the Administrative Tribunals Act, 1985 for reconsidering the judgement dated 16.2.95 in OA 202/91 and for recalling the same.

2. The petitioners had filed the aforesaid OA praying for directions for fixation of their pay/salary w.e.f. 1.10.80 i.e. the on which vacancies for the post of Senior Clerks had fallen vacant as also for a direction for payment of salary from the date of fixation so made. They also had prayed for directions to give the benefit of upgradation to them w.e.f. 1.10.80. They claimed that their seniority be reckoned from the aforesaid date. The grievance of the petitioners is that they were denied the benefit of the same treatment as had been given to persons who had filed application before the Allahabad Bench of the Central Administrative Tribunal. It is pleaded by the petitioners that this bench of the Tribunal erred in holding that the petitioners are not entitled to get the benefits of the judgement of the Allahabad Bench, at Annexure PA-2, as the judgement was not before the Tribunal. The petitioners have also annexed a copy of the judgement of this bench of the Tribunal dated 24.3.93 rendered in OA 896/92.

3. The decision of the Allahabad Bench of the Tribunal was not produced by the petitioners before this bench of the Tribunal on the date of hearing. However, the entire material on record as well as the points urged before us were duly considered and it was found that the petitioners were not entitled to seniority or pay with effect from the date on which vacancies had arisen if these were filled up by actual appointments on a later date. There appears to be no error apparent on the face of record. The petitioners were negligent in *CKMHR* so far as the judgements of the Allahabad bench, at Annexure PA-2, and this

bench of the Tribunal, at Annexure FA-3 respectively, were not produced for our perusal by them.

4. In the circumstances, we find no ground for reconsidering or recalling the impugned order. This Review Petition, therefore, is dismissed in limine.

(O.P. SHAFMA)

MEMBER (A)

*Gopal Krishna*  
(GOPAL KRISHNA)

VICE CHAIRMAN

VK