

(2)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

RA NO. 320/2003 IN
OA NO. 262/2003

This the 25th day of March, 2004

HON'BLE SH. V.K. MAJOTRA, VICE CHAIRMAN (A)
HON'BLE SH. KULDIP SINGH, MEMBER (J)

Ishwar Dass
A-306, Navin Apartments,
Plot No.13, Sector-5,
Dwarka, New Delhi-45.

(Applicant in person)

Versus

Union of India through

1. The Secretary,
Ministry of I&B,
Shastri Bhawan,
New Delhi-110001.
2. Chief Executive Officer,
Prasar Bharati (B.C.I.),
PTI Building, 2nd Floor,
Sansad Marg,
New Delhi-110001.
3. The Director General,
All India Radio,
Akashvani Bhawan,
New Delhi-110001.

(By Advocate: Sh. R.N.Singh proxy for
Sh. R.V.Sinha)

O R D E R (ORAL)

By Sh. V.K.Majotra, Vice Chairman (A)

Applicant has filed this application seeking review of
order dated 26.8.2003 whereby OA-262/2003 was disposed of.

2. Applicant who is present in person and learned counsel for respondents heard.
3. Applicant contended that in the related judgment the cause of action for which he had filed the OA was not taken into consideration. He further stated that respondents had concealed certain facts. He specifically mentioned that the case of Sh. A.K.Muku decided by J&K High Court which was

referred to in the order in question dealt with a different cause of action than that of applicants. Secondly, he stated that his relief is related to vacancies prior to 2002 while the respondents had considered the applicant for promotion against vacancies occurred in February, 2003.

4. On the other hand, learned counsel of the respondents stated that there has been no error apparent on record. Respondents had not concealed any facts and the question of delay in considering the applicant for promotion has been duly considered by the Tribunal and a finding thereupon has also been given.

5. We have considered the rival contentions.

6. Applicant's cause of action had been duly considered by the Tribunal in the orders in question. Consideration of the case of A.K.Muku decided by J&K High Court is not a factual error. Applicant was specifically asked to point out in his OA as also in his rejoinder as to where he had alleged concealment of facts on behalf of the respondents. He has failed to point out any such concealment. The case of Muku (supra) and consideration of applicant for promotion later than 2002 is not an error apparent on record.

7. While we do not find any error apparent on record, this appears to be an attempt on the part of the applicant to reargue the case which is beyond the scope and ambit of review. This review application is rejected, therefore.

Kuldeep

(KULDIP SINGH)
Member (J)
'sd'

V.K. Majotra

(V.K. MAJOTRA) 25.3.04
Vice Chairman (A)