

Chambers
(By circulation)

Review Application No. 92 of 2016

In re:

O.A. No. 248 of 2010

Ex. Hav Clerk Ater Singh

Vs. Union of India & others

Hon'ble Justice D.P.Singh, Member (J)

Hon'ble Air Marshal Anil Chopra, Member (A)

This is an application for review of order dated 26.08.2016, passed in O.A. No. 248 of 2010. While approaching the Tribunal under the jurisdiction of review, the applicant has prayed that the order be reviewed and the respondents be directed to notionally promote the applicant to the rank of Nb Subedar with all consequential benefits.

While allowing the O.A. the Tribunal had directed the respondents to consider conferment of honorary rank of Nb Subedar/ Subedar, as the case may be, within four months without back wages but with other benefits. Accordingly, in view of conferment of honorary rank, applicant shall be entitled for the benefits from the date of conferment of the rank though without back wages. An exemplary cost of rupees five lacs had also been directed to be paid to the applicant. A conscious order has been passed by the Tribunal. It does not suffer from any error of law apparent on the face of record, which is a condition precedent for interference under Order 47, Rule-1 of the Code of Civil Procedure.

Review application lacks merit and is rejected.

No order as to costs.

(Air Marshal Anil Chopra)
Member 'A'
Dated 03.10.2016

(Justice D.P. Singh)
Member 'J'

