

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH: NEW DELHI

O.A. No.3390/2002

This the 31st day of December, 2002

Hon'ble Shri Justice V.S. Aggarwal, Chairman  
Hon'ble Shri V. Srikantan, Member (A)

Shri Khusi Ram,  
S/o Shri Rishal,  
R/o K-408, Sewa Nagar,  
New Delhi.  
Working as Sewarman. ....Applicant  
(By Advocate : Shri T.C. Aggarwal)

Versus

Union of India, through  
1. The Secretary,  
Ministry of Information & Broadcasting,  
Shastri Bhavan,  
New Delhi-1.  
2. The Director General,  
All India Radio, Akashvani Bhavan,  
Parliament Street, New Delhi-1.  
3. The Chief Engineer, Civil  
Construction Wing, Soochna Bhavan,  
Lodi Road Complex, New Delhi.  
4. Shri A.K. Gulati, Executive Engineer (C),  
through Chief Engineer, C.C.W. (DG A.I.R.),  
Soochna Bhavan, Lodi Road Complex,  
New Delhi. ....Respondents

ORDER (ORAL)

Shri Justice V.S. Aggarwal, Chairman :

The applicant is rushing from pillar to post. He obviously wants certain benefits pertaining to arbitration award.

2. By virtue of the present application, he prays that respondents should be directed to implement the arbitration award on the same terms and conditions as implemented in the case of Central Public Works Department and he should be granted revised pay as has been directed by this Tribunal in the case of Lilo Singh in OA No.2464/1996 decided on 27.4.2000.

3. We have gone into the said controversy but snags come into his way. The applicant had

*As Aggarwal*

earlier filed OA No.282/2001, which was dismissed by this Tribunal on 22.1.2002. The said order passed by this Tribunal reads as follows:-


"Learned counsel for the respondents himself has placed on record an OM dated 4-9-2001 vide which the directions have been issued for implementation of the Arbitration Award dated 31-1-1988 of CPWD on recategorization/reclassification of the Work Charged Establishment of CCW, AIR and all the applicants in this case seems to be covered by this OM. Accordingly OA is, therefore, dismissed as having become infructuous. No order as to costs.

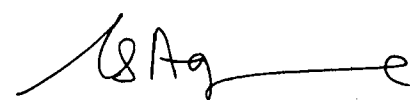
3. If the applicant has any grievance after the implementation of the order, he is at liberty to come to the Tribunal in accordance with law.

4. Learned counsel for applicant has drawn our attention to the fact that so far as the case of the applicant is concerned, it was not a case of recategorization.

5. Be that as it may, once he was a party in the earlier application and even if there is some inadvertent mistake the remedy would not be by filing a fresh application. The applicant if so advised, may seek clarification/modification/review of the order in accordance with the law but fresh application will not be maintainable.

6. Resultently, OA fails and is accordingly dismissed. By way of abundant caution, it is made clear that it is only an expression of opinion prejudicial to the interests of the applicant.

  
(V. Srikantan)  
Member (A)

  
(V.S. Aggarwal)  
Chairman

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