

CENTRAL ADMINISTRATIVE TRIBUNAL
PATNA BENCH, PATNA
RA/050/00052/2019
with
MA/050/00393/2019
[Arising out of OA/050/00655/2019]

Date of Order: 13/11/2019

C O R A M

HON'BLE MR. JAYESH V. BHAIRAVIA, JUDICIAL MEMBER
HON'BLE MR. DINESH SHARMA, ADMINISTRATIVE MEMBER

Union of India & Ors., Applicant.

- By Advocate : Shri Vinaya Kumar

- Versus -

Amrish Ranjan, Respondents.

- By Advocate:- Shri S.K. Datta

O R D E R
[In Circulation]

Per Dinesh Sharma, A.M.:- This Review Application has been filed by the Union of India & Ors. (respondents in OA) for review of order dated 21.01.2019 passed by this Tribunal in OA/050/00655/2015. The operative portion of the order reads as follows:-

“4. We therefore allow the OA and grant the prayer of the applicant as clarified by him in the concluding para (para 14) of his rejoinder. The respondents will issue immediate orders absorbing him in any suitable post carrying a grade pay of Rs. 4200/-. In case it is not done, and he is continued to work as Crew Controller, he would be paid the higher grade pay of Rs. 4600/- associated with that job. We also order that he should be paid the difference in pay (between Grade Pay Rs. 4600/- and Rs. 4200/- and consequential benefits if

any) for the period for which he worked as a Crew Controller. No order as to costs.”

2. The main contention in the RA is that the Grade Pay for Crew Controller is Rs. 4200/- and the applicant (in the OA) has misled the Tribunal by stating it to be Rs. 4600/- in his rejoinder which the UOI & Ors. (applicants in this RA) could not controvert since it was not given chance to giving additional reply. We have gone through the records of this OA, and we find that the applicant in the OA had specifically averted so (that the post of Crew Controller had Rs. 4600/- G.P.) in para 4.17 (a) (iii) of the OA, supporting it with copy of information received (at Annexure 11, 11/1 & 11/2 of the OA). This was not specifically controverted by the respondents UOI in their written statement while replying to this paragraph. Thus, the finding of the Tribunal is not based on any error committed due to misleading the rejoinder, and the Review Applicants (respondents in the OA) cannot raise this point now which they failed to do at the time of adjudicating the OA.

3. Since there is no error apparent on the face of record or mistake of fact in this decision, and since this review application amounts to request for re-adjudication or worse, abdication of judication already done, it is beyond the scope of review. The RA is, therefore, dismissed in circulation.

[Dinesh Sharma]
Administrative Member

Hon'ble Mr. Jayesh V. Bhairavia, Judl. Member