

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

16

RA 202/2002
in
OA 2352/2001

New Delhi, this the 9th day of September, 2002

Hon^{ble} Sh. Govindan S. Tampi, Member (A)

Smt. Sunita

... Applicant

Vs.

Govt. of NCT of Delhi & Ors.

... Respondents

Order (In Circulation)

By Sh. Govindan S. Tampi, Member (A)

RA 202/2002 has been filed by Smt. Sunita, applicant in OA No. 2352/2001, seeking recall and review of my order dt. 3-6-2002, dismissing the OA.

2. I have considered the matter. The applicant who was working as a part time worker from 1991, but away from duties between September 1993 and February 1995, had claimed temporary status and regularisation in terms of the DOPT's Scheme for grant of temporary status and regularisation to casual workers dt. 10-9-93. Though in a few earlier cases, relief had been granted by the Tribunal including me after the decision of the Hon^{ble} Supreme Court both in Punjab State Electricity Board & Anr. Vs. Wazir Singh (JT 2002 (3) SC 49) and UOI & Anr. Vs. Mohan Pal and Ors (2002 (4) SCALE), the applicant had no case at all. The OAs ^{were} accordingly dismissed by me on 3-6-2002.

3. In the RA, it is contended that Hon^{ble} Apex Court's decision did not cover the present OA and that other reliefs like revision of wages w.e.f. 1-1-96 were not considered by me which was improper and, therefore, ^{it should} deserved to be recalled/reviewed.

4. In detailed consideration of the matter, it is clear that the applicant has not made out any case for review. Once

the Hon'ble Supreme Court have passed any order, the same has binding force on an authoritative precedent. In this case as the applicant did not fall within the category of staff to have been regularized and/or granted temporary status, the OA could only have been dismissed. The pleas raised by the review applicant as additional pleas, which according to them, were not wrongly considered ^{by me} while disposing the OA also become irrelevant. Once the Hon'ble Supreme Court has taken a decision and the same ~~becomes~~ law. Once the reliefs relating to temporary status/regularisation have been denied on the basis of the Hon'ble Supreme Court's decision in Mohan Pal's case (supra), nothing else could be ordered as alternate reliefs. My order has noted
"that the applicant can take her chance, when group 'D' vacancies arise and applications are called for, provided she fulfills the requirement and her case could be considered in accordance with Rules and Instructions." This had taken care of the alternate reliefs sought for. In the circumstances, no further directions were called for. No error apparent on record had crept in the order.

5. In the above view of the matter, I am convinced that no case for review of the earlier order has been made out by the applicant. RA, therefore, fails and is accordingly rejected.

(Govindan S. Tampi)
Member (A)