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Central Administrative Tribunal, Principal Bench

Review Application No.247 of 2000
(in O.A.No.2212 of 1999)

New Delhi, this the 22nd day of August, 2000

Hon'ble Mr.Justice V.Rajagopala Reddy, Vice Chairman
Hon'ble Mr.V.K.Majotra, Member (Admnv)

All India CPWD (MRM) Karamchari Sangathan
(Regd), through its President, Shri Satish
Kumar, 34-D, D.I.Z. Area, Sector 4, Raja
Bazar, New Delhi-110001 & others -Petitioners/Applicants

Versus

Union of India through its Secretary,
Ministry of Urban Affairs & Employment,
Nirman Bhavan, New Delhi-11 and others - Respondents

O R D E R (in circulation)

By V.K.Majotra, Member (Admnv).-

Applicants seek review of our order dated 12.5.2000 passed in OA 2212/1999 contending that the OA was dismissed only on the basis of an assertion of the respondents' counsel to the effect that there is no difference in leave in case of quasi permanent officials and other officials. Although this point was taken note of by the Court, it is wrong to assert that the OA was dismissed on this count alone. Reliance had been placed on para 7 of the settlement at Annexure-2 of the OA indicating agreement between the management and workers that they would accept the post, offered in India and the workers who accept the post, in India would be treated as fresh entrants and their past service will not count for their seniority. It will count for other admissible purposes, including pensionary benefits, provided they surrender their retrenchment compensation. It was found that neither in the settlement nor in the judgment of the Hon'ble Supreme Court in W.P. (Civil Nos.5140-48, 3516, 5149-52 of 1983 titled Mahendra Raj Marg Karamchari Union & others Etc. Vs. Union of India & others, the benefit of quasi permanency has been

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contemplated for the members of Mahendra Raj Marg Karamchari Union or the applicants in the case. It was in the light of these findings that the OA was dismissed.

2. In the present review application the applicants have not brought out any glaring error of facts or law warranting review of our order dated 12.5.2000. The review application is, therefore, dismissed at the circulation stage itself.

V.K.Majotra

(V.K.Majotra)
Member (Admnv)

V.Rajagopal Reddy

(V.Rajagopal Reddy)
Vice Chairman

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