

Central Administrative Tribunal  
Principal Bench

R.A.No.92/99 in  
O.A. No.1537/98

Hon'ble Shri R.K.Ahooja, Member(A)

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New Delhi, this the 15<sup>th</sup> day of June, 1999

Shri Hirday Ram

... Applicant

Vs.

Union of India through  
Secretary (Canteen) and  
Manager  
Govt. of India Press  
Ring Road  
New Delhi.

... Respondent

O R D E R (By Circulation)

The applicant, who had been engaged as a Helper in the Government of India Press Canteen, Mayapuri in 1990 by order dated 6.2.1986, came to the Tribunal seeking a direction to grant him the benefits of Respondent's OM No.29.1.1992 along with arrears in the shape of difference of pay and other benefits admissible under the relevant Rules. The OA was allowed and the respondents were directed to consider the case of the applicant for regularisation as a government servant in accordance with the orders dated 11.10.1991 read with O.M. dated 11.1.1992 and within the sanctioned strength of 9 employees on the basis of his seniority; it was also directed that he would, in any case, not be entitled to difference of salary from a date earlier than one year of filing of the OA, i.e., 10.8.1998.

2. The respondents have now filed this Review Petition claiming that there are errors of fact and law patent on the fact of record. They say firstly that there is a mistake in the operative para 6 of the impugned order where a reference had been made to an OM

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dated 11.1.1992 when the reference should be OM dated 29.1.1992. Secondly, it has been pointed out that the order dated 29.1.1992 referred to the non-statutory canteens while the canteen in which the applicant has been working, i.e., Government of India Press Canteen, Mayapuri is a statutory canteen. Thirdly it is submitted that the directions is to consider the case of the applicant within the sanctioned strength of 9 employees, the enhanced different of pay has been allowed w.e.f. 10.8.1998. (24)

3. In so far as the first point is concerned the petitioners are right that the reference has been made to OM dated 29.1.1992 and that there has been a typographical mistake. As regards the second point the objection that the Government of India Press Canteen, Mayapuri was a statutory canteen was not raised in the counter filed by the respondents. In any event the case of the applicant is covered by the orders dated 11.10.1991 which is applicable to the statutory canteens. A reference to this order has also made in the operative part. As regards the third point, the Tribunal had given its directions regarding the earliest date from which the applicant could become entitled for difference in pay on the basis of his date of regularisation. On the basis of the seniority of the applicant, with reference to the sanctioned strength of 9 employees his regularisation could come even earlier to that date. The language of the order is clear in saying that respondents will not be liable for difference in pay from a date earlier than 10.8.1998; if the regularisation is from a later date, obviously difference of pay would also be from that date.

Per

4. As mentioned above, the only valid point raised by the petitioner is the first point of typographical mistake. An inconsequential mistake does not warrant a review. Accordingly, the RA is dismissed.

  
(R.K. Ahooja)  
Member (A)

/rao/

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