

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

R.A. No. 162 of 1997
M.A. No. 1579 of 1997
in
O.A. No. 2275 of 1996

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New Delhi, dated the 24th September, 1997

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

1. Union of India through
the Secretary,
Ministry of Defence,
New Delhi-110011.
2. Jt. Secretary (Trg.)
and Chief Administrative Officer,
C-II, Hutments,
Ministry of Defence,
New Delhi-110011. ... REVIEW APPLICANTS

VERSUS

Shri G.S. Mahey,
R/o 433/Sector 7,
R.K. Puram,
New Delhi-110022. ... RESPONDENTS
(Applicant in OA-2275/96)

ORDER (By Circulation)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

Perused the R.A.

2. In O.A. No. 2275/96 respondents had specifically taken the plea that the conditions as prescribed in Govt. of India's order No.8 under FR 22(c) were not ^{met} ~~met~~ and hence stepping up of applicant's pay was not justified. This identical plea also had been raised in O.A. No. 42/94 Shri M.L. Mahna Vs. UOI & Ors. and had been discussed in Para 5 of the judgment dated 31.10.94 in Mahna's case (Supra) and in fact was an important ground for dismissal of that O.A. It is clear that the said plea did not carry weight

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with the Hon'ble Supreme Court when it set aside the Tribunal's judgment dated 31.10.94 in Mahna's case (Supra) by its order dated 10.5.96 in SLP No. 26584-85/95 and directed stepping up of pay.

3. The fact that respondents were not aware of the Hon'ble Supreme Court's order dated 10.5.96 in Mahna's case (Supra) cannot be made a ground for review.

4. The R.A. No. 1162/97 is rejected as it does not come within the ambit of Section 22(3)(f) A.T. Act read with Order 47 Rule 1 C.P.C. M.A. No. 1579/97 filed to stay the implementation of judgment in O.A. No. 2275/96 is also rejected.

S.R. Adige
(S.R. ADIGE)
VICE CHAIRMAN (A)

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