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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

RA No.137/95 in OA No.173/95

NEW DELHI, THIS THE 9TH DAY OF JUNE, 1995.

HON'BLE MR.JUSTICE S.C.MATHUR, CHAIRMAN
HON'BLE MR.P.T.THIRUVENGADAM, MEMBER(A)

P.N.Lal	...	Applicant
	Vs.	
Union of India & ors.	...	Respondents

ORDER(IN CIRCULATION)

JUSTICE S.C.MATHUR:

This review application is directed against the order passed on the applicant's application for interim relief. The interim relief prayed for was disallowed. The applicant claims that there are apparent errors in our order.

2. The material question arising for determination was whether the applicant was entitled to salary of the post of Assistant Engineer Technical (III) or of any higher post. For holding that the applicant was entitled to salary of the post of Assistant Engineer Technical (III) only, we had relied upon charge certificate executed by the applicant himself on 22.3.1993. In this charge certificate, the applicant himself had stated that he had taken over charge of the post of Assistant Engineer Technical(III). After executing this charge certificate, the applicant could not contend that the pay slip which was impugned by the applicant in the OA was incorrectly drawn . We had discussed the points raised on behalf of the applicant as they arose for determination of the prayer for interim relief elaborately in our order dated 27.4.1995. Our

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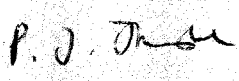
order does not contain any apparent error.

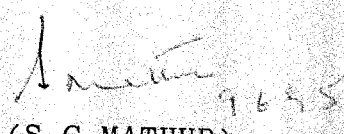
3. It is incorrectly contended in the review application that we did not correctly comprehend the facts while passing the order sought to be reviewed.

4. In para 2 at page 12 of the review application, it is stated : "...he regrets to submit that on 27th April, 1995, when the turn of this O.A. came, his Counsel was on his legs in other Courts and the applicant was asked to call him twice but when he found that his Counsel was arguing in other Courts, he informed the Hon'ble Bench of this fact, but he regrets to submit with due respect that he was compelled to argue his own case in person under duress and threat of dismissal of the O.A." This statement is factually incorrect and false. The case was not fixed on 27.4.1995 for arguments. The arguments had already concluded on 26.4.1995. On 27.4.1995, the case was listed only for pronouncement of order as is apparent from the ordersheet dated 26.4.1995 which reads : "List tomorrow for pronouncement of order." There was, therefore, no occasion for the Bench to require the applicant to call his counsel and to give the alleged threat of dismissal of the OA. We take serious note of this false statement attributed to the Bench.

5. Through the review application, the applicant seeks to reagitate the controversies which were raised by him earlier and which have already been dealt with.

6. In view of the above, the review application is rejected by circulation.


(P.T. THIRUVENGADAM)
MEMBER(A)


(S.C. MATHUR)
CHAIRMAN