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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

R.A. NO. 274/2001 *JN*

O.A. No. 1887/2000

New Delhi, this the ~~02-ND~~..... August 2001.

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. Govindan S. Tamp[il], Member (A)

Government of N.C.T. of DelhiApplicant

(By Advocate Vijay Pandita)

Versus

M.M. Chandra & Ors.Respondents.

(By Advocate Sh. Deepak Verma)

O R D E R (BY CIRCULATION)

By Hon'ble Mr. Justice Ashok Agarwal, Chairman

R.A. No. 274/2001 has been filed seeking recall of our order dated 15.2.2001 in O.A. 1887/2000.

2. M.A. 1497/2001 is filed seeking condonation of delay in filing the R.A. The same is allowed in the interest of justice.

3. O.A. No. 1887/2000 was disposed of by the following short order pronounced in the court when both the counsel were present.

"Applicants herein are Assistant Programmers and data Processing Supervisors. They claim refixation of pay in the revised scale of Rs.2000-3200 (Pre revised) with effect from 11.9.1989 or the date of their joining whichever is later. Shri Vijay Pandita, the learned advocate appearing on behalf of the respondents, has placed on record a communication of 5.2.2001 addressed by the Government of India, Ministry of Home Affairs to the Secretary (Planning) Government of NCT of Delhi whereby the Central Government has approved the revision of pay scales of Assistant Programmer and Data Processing Supervisor as claimed in the present. This is in addition to the approval similarly granted on 16.12.1999 at Annexure A1 to the OA which approval was on certain conditions later approval of 5.3.2001 is unconditional. In view of the later approval of 5.3.2001, in our view, nothing now survives in the present O.A. Respondents will grant the revised pay scales as claimed by the applicants in terms of the aforesaid approval of 5.3.2001 expeditiously and within a period of three months from the date of service of this order.

3. Present OA is disposed of in the aforestated terms. No costs."

....-2/-

[Signature]

4. The respondents namely NCT Delhi has come up with this application seeking review of the order on the grounds that Tribunal has not correctly appreciated the position with regard to the documents which have been placed on record. This is not a case where any error apparent on the record is shown to have taken place but one where the Tribunal's

appreciation of the Government instructions and the interpretation adopted by the Tribunal is being sought to be questioned. This definitely does not come within the purview of review.

5. In the circumstances the review application having no merit is dismissed in circulation.

(Govindan S. Tampi)
Member (A).

Patwal/

(Ashok Agarwal)
Chairman