

Central Administrative Tribunal  
Principal Bench: New Delhi

RA No.348/94 in  
OA No.2671/93

12

New Delhi this the 6th Day of December, 1994.

Sh. N.V. Krishnan, Vice-Chairman (A)  
Sh. C.J. Roy, Member (J)

Sh. G.C. Pandey,  
Drawing Teacher,  
Government B.M. School,  
Hari Nagar, Ashram,  
New Delhi.

...Applicant

(By Advocate Sh. M.P. Raju)

Versus

1. The Lt. Governor & Administration,  
National Territory of Delhi.

2. The Director of Education,  
Directorate of Education,  
Old Secretariat,  
Delhi.

...Respondents

ORDER (By circulation)

Hon'ble Mr. N.V. Krishnan:-

OA-2671/93 filed by this applicant was disposed of by an oral order delivered in Court on 19.8.94. The applicant has sought a review of that order.

2. We have perused the review application. We are satisfied that it can be disposed of by circulation and we proceed to do so.

3. The main prayer in the OA was that the applicant should be given the PGT pay scale from the date from which his juniors have been promoted as PGT from 3.1.74. That claim is made on the basis of the judgement in CWP 1479/73 (M.L. Sharma vs. Directorate of Education & Ors.) rendered in 1985 by the Delhi High Court and by the subsequent judgement in Thakur Das Sapra and Others vs. Lt. Governor & Ors. Lt. Governor & Ors. in T-5/85 delivered on 23.2.87 by this Bench. It was found that though the applicant had a similar case he was guilty of laches and that, therefore, he cannot be given the benefit of PGT pay scale from 3.1.74; instead he should be given that pay scale notionally from 3.1.74



13

and the benefit of arrears should be given to him only from the date he made the Annexure-7 representation to Government, i.e., from 9.2.1993.

4. The review application sets out as grounds for review a number of 'errors' apparent on the face of record. What has, however, been done is to question the validity and correctness of that judgement. In fact, in ground (d) of the R.A. it is even contended that this Tribunal did not have the jurisdiction to pass the kind of order which was passed in this case. It is clear that the applicant is dis-satisfied with the order in regard to its merit. The proper course for him is to only file an appeal. We have denied him the full benefit on the ground of laches.

5. He refers to a new piece of evidence which has come into his possession, which is a letter at Annexure 'B' dated 4.4.81. This is a letter addressed by the Principal, Govt. Boys Senior Secondary School, Moti Bagh to the Principal, State Institute of Education, Roop Nagar regarding the qualification for PGT (Drawing and Painting). We do not see how this letter is relevant for a review.

6. No case has been made out for review. Review Application is, therefore, rejected.

(C.J. Roy)  
Member(J)

'Sanju'

(N.V. Krishnan)  
Vice-Chairman(A)