

(9)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

RA No.328 of 1993 in
O.A.No.451 of 1988

Date of decision:
28th Sept., 1993

Sone Lal and another.....Applicants.

vs.

Union of India and others.....Respondents.

ORDER (by circulation)

This review petition has been filed against the judgment dated 6th August, 1993, passed in O.A.No.451 of 1988, by a Bench of this Tribunal, of which both of us were members.

2. The following grounds have been given for re-viewing the aforesaid judgment:

- a) that this Tribunal did not accede to the request made by the applicant in M.P. dated 14th July, 1993 to club this case with O.A.No.423 of 1988;
- b) that his counsel was not present during the final hearing of the case because of his pre-engagement in another Court and the judgment was passed on the same date, without considering the main grounds; and
- c) the main grounds, such as, 'equal pay for equal work' have not been considered.

3. This case was fixed for final hearing on 9th July, 1993, when none was present, even though it was included in the list of cases fixed.

cases fixed for final hearing. The case has been decided by this Bench on merits and has not been dismissed in default. All the pleadings, as given in the Original Application were considered. The Original Application was dismissed on merits on the ground that when matters relating to pay have been considered by the expert body, like, the Pay Commission and the recommendations have already been considered and accepted by the Government, it would not be proper for this Tribunal to interfere. Nothing will change the facts that the post of Additional Legal Advisor in the Central Bureau of Investigation was not included in the list of posts where the pay-scales were sanctioned on a higher basis and was included at Sr.No.25 of para(a) of the Schedule to the recommendations of the 4th Pay Commission.

4. We see no merit in the present application and hold that no error apparent on the face of the judgment has occurred.

5. The Review Application is, therefore, dismissed, with no order as to costs.

B.N.Dhundiyal
(B.N.Dhundiyal)
Member(A)

J.P.Sharma
(J.P.Sharma)
Member(J) 28.9.95

/sds/