

(2)  
(13)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

R.A. 228/94 in  
C.A. 2403/89

New Delhi, This the 14<sup>th</sup> Day of November 1994

Hon'ble Shri Justice S.C. Mathur, Chairman

Hon'ble Shri P.T. Thiruvengadam, Member (A)

Mrs Raj Kumari  
R/o 20/2 (Flats), West Patel Nagar  
New Delhi.

...Petitioner

By Shri R L Dhawan, Advocate

Versus

Director of Education  
Old Secretariat  
Delhi.

By Mrs. Avnish Ahlawat, Advocate

ORDER

Hon'ble Shri P.T. Thiruvengadam, Member (A)

1. The petitioner was a Junior Craft Teacher in the scale of Rs. 425-640. Some percentage of Junior Craft Teachers were given the selection grade of Rs. 600-750. The next promotional grade for Junior Craft Teachers is Senior Craft Teachers in the grade of Rs. 440-750. The selection grade for Senior Craft Teachers carried the pay scale of Rs. 740-880. The posts <sup>of</sup> Junior Craft Teachers were upgraded and merged with the cadre of Senior Craft Teachers with effect from 5.9.81. The petitioner was awarded selection grade of Rs. 600-750 in the cadre of Junior Craft teacher with effect from 1.1.73 based on the orders passed by this Tribunal on 31.8.87. The petitioner

. 2/-

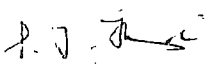
d

was not satisfied with this and filed OA 2403/89 claiming that she was entitled to the higher selection grade of Rs.740-880 with effect from 5.9.81, the date on which the Junior Craft Teachers were upgraded and merged with the cadre of Senior Craft Teachers. Her argument was that the selection grade of Rs.600-750 was applicable with reference to Junior Craft Teachers and with the upgradation of the pay scale of the Junior Craft Teachers with effect from 5.9.81 the selection grade of Rs.600-750 should automatically be placed in the higher selection grade of Rs.740-880 as applicable to Senior Craft Teachers. This OA was disposed of by an order dated 11.5.94 wherein it was held that the petitioner cannot automatically get the selection grade of Senior Craft Teachers as a consequence of upgradation of the cadre of Junior Craft Teachers.

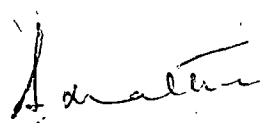
2. This Review Petition has been filed for reviewing the above orders of 11.5.94. The main prayer in this Review Petition is that the applicant should be allowed the selection grade in Rs.740-880 with effect from 1.4.82. The significance of 1.4.82 has been explained by referring to the sanction letter of 5.1.84 (Annexure B to the RA) vide which 4 posts in the Junior scale selection grade (Rs.600-750) were upgraded to senior scale selection grade (Rs.740-880) with effect from 1.4.82. In effect this is a fresh relief which is now being claimed and which is different from what was claimed in the OA. The Review Petition is thus not maintainable. Apart from this the allegation

that sanction letter of 5.1.84 which had already been produced as part of the application in the OA had not been taken into account at the time of the disposal cannot be the ground for filing the Review Petition. Repeatedly in the order of 11.5.94 it has been mentioned that the petitioner cannot claim the pay scale attached to the selection grade Senior Craft Teachers. The sanction letter of 1984 mentions that the selection grade posts in junior scale(Rs.600-750) are upgraded to selection grade posts in senior scales(Rs.740-880).

3. In the circumstances, the Review application is totally misconceived and has been filed without any basis. Accordingly the Review Petition is dismissed and costs awarded to the respondents which are quantified at Rs.500/- (Rupees five hundred only).

  
(P. T. THIRUVENGADAM)  
Member(A)  
Nov 94

LCP

  
(S. C. MATHUR)  
Chairman  
Nov 94