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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

Review Application seeks review of our judgement dated 11.11.91 in OA NO.1360/89 - M. Dhananjaya Rao v. Union of India & Ors.

The applicant who was in the scale of Rs.650-1200 went on deputation to IRCON in the pay scale of Rs.1100- 1600. According to the conditions of the deputation he could either opt for drawing pay in the scale of pay in his parent department plus deputation (duty allowance) subject to the pay plus deputation (duty allowance) not exceeding maximum of the scale of new post viz. Rs.1100-1600 or opt for drawing the pay of the post. The applicant opted for drawing the pay in his parent cadre plus deputation (duty allowance). Initially his deputation was for two years which was extended by one year more. He was on deputation from November, 1984 till he got absorbed in IRCON on 21.11.1988. During the period of his deputation some of his juniors were promoted to the senior scale (Rs.1100-1600) on adhoc basis in the parent department. The applicant also would have got promoted to senior scale on adhoc basis w.e.f. 19.6.1987 - the date on which his next junior was promoted to senior scale but for his deputation to IRCON.

The reliefs prayed for by the applicant in the O.A. were that the Tribunal may quash the impugned order (Annexure A-1) dated 31.3.1988 rejecting his representation to grant him Next Below Rule benefit with reference to the junior in his parent department and to direct the respondents "to give

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promotion/proforma fixation of pay to the applicant in senior scale with effect from the date i.e. 19.6.1987 from which is junior had been promoted."

The reliefs claimed by the applicant and the issues relating thereto have been discussed in detail in our judgement dated 11.11.91.


There is no error apparent on the face of record nor has any new evidence which was not available by exercise of due diligence been brought out by the review applicant in the R.A. In fact the review applicant has filed the application agitating the same grounds which he has taken in his Original Application. In **Chandra Kanta and another v. Sheik Habib** AIR 1975 SC 1500 the Hon'ble Supreme Court observed:-

"Once an order has been passed by the Court, a review thereof must be subject to the rules of the game and cannot lightly entertained. A review of a judgement is a serious step and a resort to it is proper only where a glaring omission or patent mistake or grave error has crept in earlier by judicial fallibility. A mere repetition through a different counsel, of the old and overruled arguments, a second trip over ineffectually covered ground or minor mistakes of inconsequential import, are obviously insufficient."

The Review Application, therefore, deserves to be rejected.



Hon'ble Chairman



(I.K. RASGOTRA)
Member(A)
5.2.92.