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Central Administrative Tribunal
Principal Bench: New Delhi

RA 60/95
OA 2280/89

New Delhi this the 6th day of February 1997.

Hon'ble Mrs Lakshmi Swaminathan, Member (J)
Hon'ble Mr K.Muthukumar, Member (A)

1. Shri M.S.Rawat
Photo Printer Gr.I
Directorate of Naval Architecture
Sena Bhawan
New Delhi.
2. Shri S.K.Verma
Photo Printer Gr. I
Directorate of Naval Air Material
Naval Headquarters
Ministry of Defence
A-Block Hutments, D.H.Q.
New Delhi.

...Applicants.

(By advocate: Shri B.B.Srivastava)

Versus

Union of India through

1. Secretary
Ministry of Defence
Sena Bhawan
New Delhi.
2. Chief Administrative Officer
Ministry of Defence
Q-Block Hutments
Dalhousie Road
New Delhi.
3. Director of Administration
Naval Headquarters
New Delhi.

...Respondents

(By Departmental Representative : Shri J.S.Joshi)

O R D E R (oral)

Hon'ble Mrs Lakshmi Swaminathan, Member (J)

Both counsel heard.

This review application has been filed by the applicants under Section 22(f) and (h) of the Administrative Tribunals Act 1985 seeking a review of the judgement in OA 2280/89 decided on

3.1.95.

2. We have carefully considered the application, the reply filed by the respondents as well as the submissions made by the learned counsel and the presenting officer on behalf of the respondents.

3. The main argument of the learned counsel for the applicants is that the Tribunal's order has not dealt with their claims regarding payment of arrears of salary as Xerox operators with effect from the date of their appointment, whereas the judgement has discussed at length whether the duties and responsibilities of Photo Printers and Xerox Operators are similar or not. The other thrust of the argument is that since the Fourth Pay Commission had ultimately recommended that both these posts were similar, which recommendation had been accepted with effect from 1.1.86, the conclusion should have been that these posts were actually same and having similar duties and responsibilities and the applicants should have got their salaries on the higher scale from the date of their appointment. He also relies on two judgements - Paritosh Kanti Bal Vs. UOI & Ors (1) SLJ (CAT) 23 and Tripatha Sethi Vs. UOI & Ors 1 (1991) CSJ (CAT) 185 which, according to him, the Tribunal ought to have followed in giving the applicants arrears of salary with interest also.


4. The submissions referred to above clearly show that the two applicants are trying to re-open their case in this RA. The judgement is a detailed one and no error has been pointed out on the face of the order. We are unable to agree with the learned counsel that the review application lies in the circumstances mentioned above as none of the grounds provided under Rule 47 of C.P.C. has either been alleged or shown, namely, error apparent

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on the face of the record or any other sufficient grounds justifying a review of the order impugned. If the applicants are aggrieved that the order is wrong, the remedy lies elsewhere by way of appeal, but review is not the remedy, in accordance with law.

5. This Review Application is without merit and it is accordingly dismissed.



(K. Muthukumar)
Member (A)



(Mrs Lakshmi Swaminathan)
Member (J)

aa.