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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

OA 498/1990

New Delhi, this 13th day of July, 1994.

Shri C.J. Roy, Member (J)
Shri S.R. Adige, Member(A)

R. Balesundaram
23, Type I, Block No.2
CRPF Camp, Jarodha Kalan
New Delhi-110 072

.. Applicant

By Advocate Shri Venkateramani

Versus

Union of India, through

1. Secretary
Min. of Home Affairs
New Delhi

2. The Directorate General
CRPF, CGO Complex
Lodi Road, New Delhi-110 003

.. Respondents

O R D E R (Oral)

(Shri C.J. Roy, Hon'ble Member(J))

Heard. This is a case wherein the applicant is praying for a relief that he should be ^{given} salary at par with Steward in the Health Department of the Central Government.

2. In this case, it so happened that the applicant had moved the Hon'ble Andhra Pradesh High Court with the same request which was disposed by that Hon'ble Court. Subsequently, an SLP No.3796/85 was filed against the order of Hon'ble Andhra Pradesh Court. In that case, on 29.10.85 the Hon'ble Supreme Court held as follows:

"Delay condoned.

We find no ground to interfere with the judgement of the High Court saying that doctrine of equal pay for equal work was inapplicable to the post of a Steward in CRPF as that of Steward in the Health Department of Central Government and were not comparable posts. The petitioner is at liberty to pursue other remedies.

With the above observation, the SLP was dismissed by the Hon'ble Supreme Court.

3. The learned counsel for the applicant now addresses us to hear the case on merits of the case stating that he has some material which is not available to him at the time when the case was heard by the Hon'ble Andhra Pradesh High Court, which has some bearing on the case. But this Tribunal is not competent to hear this case for the simple reason that the Hon'ble Supreme Court has already disposed of the SLP with the above observation, which is a law declared by the Hon'ble Supreme Court under Article 141 of the Constitution of India. We can not re-open or rehear the case, neither we can permit the applicant to file a review against the judgement of the Hon'ble High Court nor ~~we~~ can we can entertain the case in view of the Hon'ble Supreme Court's order. Therefore, the OA is dismissed in view of the Hon'ble Supreme Court's order which is at page 39 of the OA, without going into the merits of the case. No costs.

However, the applicant is given liberty to pursue other remedies available elsewhere.

S.R. Adige
(S.R. Adige)
Member (A)
13.7.94

C.J. Roy
(C.J. Roy)
Member (J)
13.7.94

/tvq/