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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH,
NEW DELHI.

R.A.No.175/96

IN

O.A.No.2359/91

New Delhi: this the 24th day of May, 1996.

HON'BLE MR.S.R.ADIGE, MEMBER (A).

HON'BLE DR.A.VEDAVALLI, MEMBER (J).

Nihal Singh,
S/o Shri DAVE Singh,
R/o Qr. No.76-C Sector IV,
Pushpa Vihar:
New Delhi - 110017.

AND 16 others

.....Applicants.

Versus

1. Union of India
through the Secretary,
Ministry of Home Affairs,
Govt. of India,
North Block:
New Delhi.

2. The Secretary,
Ministry of Finance:
Govt. of India,
North Block,
New Delhi.

3. The Director-General:
Bureau of Police Research & Development,
Ministry of Home Affairs,
Govt. of India,
C.G.O. Complex,
Lodhi Road,
New Delhi.

.....Respondents.

ORDER (BY CIRCULATION)

BY HON'BLE MR.S.R.ADIGE, MEMBER (A).

We have perused the R.A.

2. The main ground taken is that an error in the judgment has been committed in as much as the Vth Pay Commission has been equated with the Tribunal, and by asking the applicants to go before the Vth Pay Commission, the violation of the fundamental rights done to the applicants will not be remedied.


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2. We are unable to accept the review applicants' contention that by leaving it open to them to represent to the Vth Pay Commission there has been any equation of the Tribunal with that body. The Hon'ble Supreme Court has been pleased to observe in a catena of judgments, that the evaluation of duties and responsibilities of respective posts and their determination for the purpose of consideration of claim of 'equal pay for equal work', is a matter best left to the expert bodies like Pay Commission and as the Vth Pay Commission is already in session, we had correctly declined to express any opinion whether the duties and responsibilities of the applicants were on all fours with their counterparts other than the Police Organisation. We are fortified in our view by the Hon'ble Supreme Court's ruling in the case Delhi Veterinary Association Vs. UOI & others - AIR 1984 SC 1221.

3. Under the circumstance, we are unable to hold that the grounds taken in the R.A. bring it within the scope and ambit of Section 22(3)(f) Act read with Order 47 Rule 1 CPC, under which alone any order/decision/judgment can be reviewed.

4. This R.A. is therefore rejected.


(DR.A.VEDAVALLI)
MEMBER (J)


(S.R.ADIGE)
MEMBER (A).

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