

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

RA 113/2005  
in  
OA 2922/2004

New Delhi, this the 26<sup>th</sup> day of May, 2005

Hon'ble Mr. Shanker Raju, Member (J)  
Hon'ble Mr. S.K. Malhotra, Member (A)

Shri Abbas Asif Jah, S/o  
Mr. Mohd. Munawwar, R/o  
5043, Gali Anna Wali, Kucha  
Rehman, Chandni Chowk, Delhi - 6.

...Applicant.

Versus

Union of India, through:

1. Secretary,  
Ministry of Information & Broadcasting,  
Shastri Bhawan,  
New Delhi - 110 001.
2. The Press Information Officer,  
Press Information Bureau,  
Shastri Bhawan, New Delhi - 110 001.

...Respondents.

**O R D E R (In Circulation)**

**BY Mr. S.K. MALHOTRA, MEMBER (A):**

The present RA has been filed by the applicant with the prayer to review the order dated 7.4.2005 passed in OA 2922/2004.

2. The Tribunal vide order dated 7.4.2005 had dismissed the petition of the applicant for regularization of his services and payment of arrears of wages to him. The applicant has been working as casual Calligraphist in PIB since 1994. The main point raised in the RA is that although there is a regular post of Calligraphist with the respondents department, the services of the applicant have not been regularized, who has been working for 15-20 days in a month and for more than 120 days in different years during the period in question. The second point raised by him is regarding non-payment of difference of wages at the agreed higher rate from March, 2001. According to the applicant this point has not been adjudicated upon by the Tribunal.


3. In so far as the first point of regularization is concerned, all the pleas taken by the applicant in the RA were considered at length and a conscious decision


*(Signature)*

was taken that the applicant was not on the rolls of the respondents department and was only being paid on assignment basis depending upon the availability of work. No appointment letter was issued to him as a regular employee and as such he was not eligible for regularization. In so far as the payment of wages is concerned, it was mentioned on behalf of the respondents in categorical terms both in their written statement as well as during the course of arguments that the applicant has already been paid in full and there were no dues against the respondents. This fact has been clearly brought out in para 7 of the order dated 7.4.2005. The applicant failed to convince the Tribunal that there was any outstanding amount payable to him by the respondents. It will, therefore, be wrong to say that this point had not been adjudicated by the Tribunal.

4. The applicant in his Review Application has failed to point out any glaring mistake on the face of the record. He is only trying to re-open the matter on merit which is not permissible in a Review Application. The provisions of Rule 1 of the Order XLVII of the Code of Civil Procedure, 1908 are also not attracted in the present case.

5. In view of the above, the RA is found to be without any merit and is accordingly dismissed in circulation.

  
(S.K. Malhotra)  
Member (A)

  
(Shanker Raju)  
Member (J)

/gkk/