

CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD BENCH,
ALLAHABAD

Review Application No. 48 of 2002

In

Original Application No.1565 of 1992

Allahabad, this the 2nd September'2002 .

Hon'ble Mr. S. Dayal, A.M.

Hon'ble Mr. A.K. Bhatnagar, J.M.

Nikhil Chandra Joshi, s/o Late Shri Ila Chand
Joshi, presently posted as Programme Executive,
All India Radio, Faizabad.

.....Applicant

By Advocate : Shri K. Kant.

Versus

1. Union of India through Ministry of Information
and Broadcasting, New Delhi.
2. Director General, All India Radio, Akashwani
Bhawan, New Delhi.

.....Respondents

By Advocate :

ORDER

By Hon'ble Mr. S. Dayal, A.M.

This review application has been filed^{for}/seeking
review of order dated 29.06.99. The prayer in the review
application is that the pay of the applicant be re-fixed
from the date of refixation and not from the date of
filing of^{the}/O.A. It appears from the affidavit that what
the applicant really seeks, is the payment of the revised
pay from the date of joining as Transmission Executive.

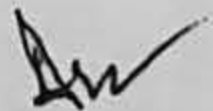
2. The direction in the O.A. was as follows:-

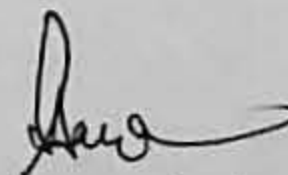
"We, therefore, direct that the respondents shall re-fix the pay of the applicant, granting pay protection from the date he joined as Transmission Executive after having served as Staff Artist on contract basis. The applicant shall also be granted the benefit of joining time, joining time pay, carry forward of leave and transfer T.A. in case these were given to Smt. Kanta Pant or Shri B.N.P. Sinha. The arrears shall be paid to the applicant with interest of 12% per annum from the date of filing of this application, i.e. from November, 1992. This order shall be complied within a period of three months from the date of its communication by the applicant to the respondents. The cost shall be paid to the applicant by the respondents."

3. The order stipulates⁴ the payment of arrears to the applicant at the rate of 12% from the date of filing of the application. Since this direction was given, the same cannot be reviewed, on account of the review application. The applicant had challenged the compliance of the order through execution application No. 2692/01 in O.A. no.1565/92 and order dated 19.04.02 reads as follows:-

"From a perusal of the aforesaid order, it appears that the Bench allowed arrears with 12% interest from November'1992, from the date of application, i.e., from the date the O.A. was filed in this Tribunal. Thus, the respondents have correctly executed the order and we do not find any mistake on their part."

4. Therefore, this review petition is misconceived and is dismissed, both on limitation as well as on merits.


Member (J)


Member (A)

/Neelam/