

Review today
28.3.94
-2-

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD

Original Application No: 1550 of 1993

Shri R.S.Ojha Applicant.

Versus

Union of India & ors. respondents.

Hon'ble Mr. S.Das Gupta, A.M.

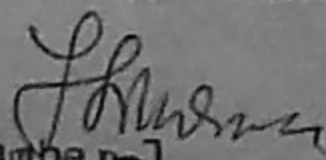
Hon'ble Mr. T.L.Verma, J.M.

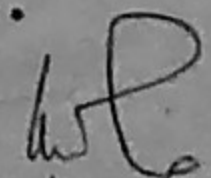
(By Hon'ble Mr. S.Das Gupta, A.M.)

Heard the petitioner in person. The applicant's case is that he filed a writ petition before the High Court Allahabad for payment of increments withheld. The petition was transferred to the Tribunal which dismissed the application. The petitioner filed a review petition and the same was allowed partly. It was directed therein that the applicant shall be given such benefits in terms of salary, arrears or otherwise ^{but} interest @ 10% simple per annum as he may be entitled to as if the impugned order withholding increments had not been passed.

2. The petitioner says that the above order of the Tribunal in review application has been implemented only partly and that also after considerable time.

3. In case the judgement and order of this Tribunal was not fully implemented, the appropriate course of action for applicant was to file a contempt petition. The same was not filed within the period of limitation. The present application is being filed on the same cause of action which was a subject matter of the earlier petition and the review application decided by this Tribunal. A fresh application on the same cause of action is not maintainable. The application is therefore dismissed as not maintainable.


Member-J


Member-A

Allahabad Dated: 21.3.94

/jw/