

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 9TH DAY OF JANUARY, 1996

Review Application No. 100 of 1995

In

Original Application No. 1766 of 1994

HON. MR. JUSTICE B.C. SAKSENA, V.C.

HON. MR. S. DAS GUPTA, MEMBER (A)

B.D. Singh, S/o late Ram Deo Singh  
Hindi Translator Gr. II in the office  
of Chief Controller of Defence Accounts  
(Pension) Allahabad, R/o 5 Govind Nagar  
Karbala G.T. Road, Allahabad

..... Applicant

Versus

1. Union of India through Financial Advisor, Defence Services (Finance) New Delhi
2. Controller General of Defence Accounts R.K. uram, New Delhi
3. Chief Controller of Defence Accounts (Pension) Allahabad.
4. Sr. Accounts Officer in the office of Chief Controller of Defence Accounts (Pension) Allahabad.
5. Defence Secretary, Govt. of India, New Delhi

.... Respondents

O R D E R

JUSTICE B.C. SAKSENA, V.C.

This review application is directed against the order dated 12.7.95 passed by a Division Bench consisting of V.C and Mr. S. Das Gupta. The applicant also seeks review of an order dated 24.8.95 passed by a DB consisting of Mr. T.L. Verma and J.M. and Sri S. Dayal, A.M. That order was passed on a misc application filed seeking restoration of the O.A. In this order the DB took the view that since the O.A has not been dismissed in

...p2

BCL

default but has been decided on merits, the application for restoration was not maintainable. It was, however, provided that if the applicant is advised he may file a petition for review of the order dated 12.7.95. It is for that reason that the review application is filed.

2. We have gone through the review petition. There is no error in the order dated 24.8.95 hence the review application against the order is liable to be rejected and is accordingly rejected.

3. As far as the review of the order dated 12.7.95 is concerned, after noting the plea taken that Junior Translator working in other various department of the Ministry of Defence are getting higher grades of Rs.1400-2600. The applicant claimed the same scale on the ground of equal pay for equal work. His representation in that behalf was rejected on 20.8.87. The OA was filed on 21.11.95 and therefore it was held that the O.A was barred by limitation. In the review petition copy of an order dated 18.5.95 has been filed by which the applicant has been promoted to the post of Hindi Translator Gr.I in the scale of Rs.1600-2660 w.e.f. 22.5.95. This letter has been referred to in review application to raise a plea that when we enquired from the standing counsel the latest position, the claim in the OA was while the applicant was working as Hindi Translator Gr.II and on that post he sought parity of a higher grade with the junior Translator working in other department. Thus this document is wholly irrelevant and in any event does not merit review of our order dated 12.7.95.

4. Secondly, in our order we had taken the view that the

:: 3 ::

question of scale of pay has been the subject matter for  
determination by various Pay commissions. In the review  
application it has been indicated that the ~~xxxxxx~~<sup>xx</sup>Secretary  
Ministry of Defence has rejected the applicant's request  
on the ground that the Vth Pay commission has already been  
constituted. The grounds taken in the review application  
do not make out a case for review of our order both on the  
ground of OA being barred by limitation and lacking merit.

The review application is accordingly rejected.

  
Member (A)

  
Vice Chairman

Dated: 9th January, 1996

Uv