

CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH
ERNAKULAM

DATE OF DECISION - 25-10-1989

Present:

Hon'ble Shri S.P. Mukerji, Vice Chairman
&
Hon'ble Shri A.V. Haridasan, Judicial Member

ORIGINAL APPLICATION NO.562/89

K.P. Ramanandan .. Applicant

Vs.

1. Union of India represented
by the Secretary to Government,
Ministry of Home Affairs (ANL),
New Delhi.
2. The Administrator, Union
Territory of Lakshadweep,
P.O. Kavaratti.

.. Respondents


Counsel for the applicant .. Shri K.Ramakumar and
VR Ramachandran Nair.

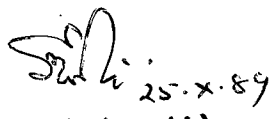
O R D E R

(Shri S.P.Mukerji, Vice Chairman)

We have heard the learned counsel for the applicant
by the applicant
in detail. The relief claimed in this application is that
the pay scale of ^{Rs.} 110-180 which he was drawing as an L.D.C.
in the Administration of Union Territory of Lakshadweep
should be revised to Rs. 130-300 with effect from 1.1.1966
on the ground that he was discharging some ^{onerous} ~~heavy~~ duties
of Treasurer. Apart from the fact that this application is
hopelessly time barred and that this Tribunal is proscribed
from entertaining ~~the~~ applications on grievances which had
arisen more than three years before the constitution of the
Tribunal, we find that the application is also barred by
the principle of constructive res judicata. The applicant

had prayed for a special pay of Rs. 25/- per month for the duties of Treasurer from the respondents when this was stopped from 1.1.1966. The Government of India did not agree. Thereafter the applicant approached the Tribunal for the grant of special pay and ~~that~~ this Tribunal dismissed the application. The applicant seems to be trying to get the same relief by modifying his prayer from the grant of special pay to the grant of a higher pay scale for discharging the duties of Treasurer. We feel that he should have raised this relief as an alternative relief in the ^{earlier} application before the Tribunal. In the circumstances, we see no merit in the application and dismiss the same.


(A.V. Haridasan)
Judicial Member


(S.P. Mukerji)
Vice Chairman

25.10.89

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CENTRAL ADMINISTRATIVE TRIBUNAL
ERNAKULAM BENCH

Placed below is a Review Petition filed
by K.P. Ramanandan
(Applicant/~~Respondent~~ in OA/TA No. 562/89)
seeking a review of the order dated 25-10-89
passed by this Tribunal in the above noted case.

As per Rule 17(ii) and (iii), a review
petition shall ordinarily be heard by the same
Bench which passed the order, and unless ordered
otherwise by the Bench concerned, a review
petition shall be disposed by circulation where
the Bench may either dismiss the petition or
direct notice to be issued the opposite party.

The Review petition is therefore, submitted
for orders of the Bench consisting of Hon'ble
Shri S.P. Mukerji (V.C.) & Hon Shri A.V. Handan
which pronounced the order, sought to be reviewed.

1/10/11
10/11/89

Hon Shri S.P. Mukerji
V.C.

We may call both the
parties and hear them
on admission.

13/11/89

11-67
17/11

May be paid for 24.11.89
17/11/89

SO(JI) 15/11/89 P.P. to Hon'ble V.C. SO (S.I.)

2
24.11.89

SPM & AVH


Shri Ramachandran Nair-
for applicant.

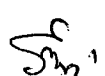
Heard both counsel. Order
Shri PVM Nambiar-SCGSC. pronounced in the open court.

ORDER

(Shri S.P.Mukerji, Vice Chairman)

We have heard the learned counsel for both the parties on the Review Application No.69/89. The learned counsel for the Review Applicant stated that he does not want any review of the order passed by us on 25.10.89 in O.A.562/89. He simply wants a clarification that the aforesaid order will not stand in the way of the respondents to considering the prayer of the applicant about the revision of the pay scale. Accordingly, we consider this Review Application as an M.P. and disposed of the same with the observation that our aforesaid order dated 25.10.89 would not stand in the way of the respondents considering the case of the applicant for revision of his pay scale, if the respondents are so advised.


(A.V.Haridasan)
Judicial Member


(S.P.Mukerji)
Vice Chairman

24.11.89

6-11/89
R.H. committed
28.11.89