

Central Administrative Tribunal, Lucknow Bench, Lucknow
Review Application No. 60/2004 in O.A.144/97
this the 5th day of August, 2004.

HON'BLE SHRI S.P. ARYA, MEMBER (A)

HON'BLE SHRI M.L. SAHNI, MEMBER (J)

Sri Prakash Singh

....Applicant

By Advocate: Sri Y.S. Lohit

Versus

CSIR and others

...Respondents

ORDER (UNDER CIRCULATION)

BY HON'BLE SHRI S.P. ARYA, MEMBER.(A)

This review application has been filed by the applicant on the following grounds:-

i) NBRI has protected the pay of Sri Ram Saran Tripathi w.e.f. 1990 though he was regularised since 12.5.94.

ii) CSIR circular dated 13.1.81 provides for absorption of those engaged in project/schemes.

iii) Direction sought for applicant's absorption with consequential benefits and further avenues taking into account his full length of service w.e.f. November 1981 does not become infructuous by simply being given regular appointment.

iv) Applicant should not have been deprived of benefits of continuous service of decades.

v) There is no justification for fixing the basic minimum of the scale.

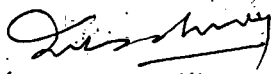
vi) The continuous service for fairly long period cannot be fortuitous.

vii) There is no reason in paying lesser pay to the applicant on arbitrary reduced fixation of pay.

~~2. No counter reply was filed by the respondents.~~

2. We do not find it necessary to hear the parties for deciding the review. Therefore it is taken up by circulation.

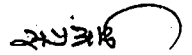
3. A perusal of the above grounds would make it clear that the applicant is trying to reargue the case. The scope of review under Rule 17 of the CAT (Procedure) Rules, 1987 read with the provisions contained in Section 22 (3)(f) of the AT Act, 1985 is to review the order for correction of obvious and patent errors. There is no such error or obvious mistake. In fact the applicant appears to be aggrieved of not appreciating the facts in the manner the applicant desires. It will amount to reargue the case again. Relying on law laid down in *Shubhash Vs. State of Maharashtra* AIR 2002 SC 2537, reargue the case does not fall within the scope of review. In the result, the review petition is rejected under circulation without issue of notice to the respondents.



(M.L.Sahni)

Member (J)

HLS/-



(S.P.Arya)

Member (A)