

**THE CENTRAL ADMINISTRATIVE TRIBUNAL
LUCKNOW BENCH**

Review Application No.33/2008

In

Original Application No.439/2005

This the 19th day of November 2008.

HON'BLE MR. M. KANTHAIAH, MEMBER (J)

Union of India & Others

...Applicant.

By Advocate: Shri N.H. Khan.

Versus.

Radhey Lal

.... Respondents.

By Advocate: None.

ORDER

BY HON'BLE MR. M. KANTHAIAH, MEMBER (J)

The respondents in the main OA have filed this petition for review of the order of this Tribunal Dt. 29.08.2008 on the ground that the competent authority never asked the Respondent/ applicant to perform the duties of plumber and whatever certificate issued by the Assistant Engineer, which is in his personal capacity but not in official. They also further stated that the respondent/ applicant was never appointed nor authorize to act as plumber and as such he is not entitled for payment of any arrears by way of difference in wages and as such, the OA has to be dismissed.

2. The matter has been taken-up under Circulation.

2. The respondents herein, who is the applicant in the original application filed an O.A. to quash the order Dt. 28.08.2005 (Ann.A-10) and direct the respondents to pay difference of salary to the post of plumber and Beldar during the period he worked on the said post with interest. After exchange of pleadings and after hearing both sides, this Tribunal allowed the OA vide order Dt. 29.08.2008. Now by way of this review application, the respondents in the main OA sought for dismissal of OA on the ground that the competent authority never entrusted the duties of plumber to the applicant and as such, they are not liable to pay any difference in wages.

3. The scope of review is very limited and by way of review one can seek the review of judgment and order in respect of any typographical mistake, error on the face of record or calculation mistake but not by way of re-adjudicating the case afresh and as such, the claim of the petitioners / respondents for review of the order and judgment Dt. 29.08.2008 of this Tribunal is not at all maintainable and thus, liable for dismissal.

In the result, the review application is rejected. No costs.


(M. KANTHAIAH)
MEMBER (J)

19.11.08

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