

CENTRAL ADMINISTRATIVE TRIBUNAL, MUMBAI BENCH

RA No.81/2001 in OA No.301/2000

Mumbai, this 28 day of January, 2002

Hon'ble Shri Justice Birendra Dikshit, VC(J)  
Hon'ble Shri M.P. Singh, Member(A)

R.K. Gaur .. Applicant

(By Shri P.A.Prabhakaran, Advocate)

versus

Chairman, CBO & Another .. Respondents

ORDER(in circulation)

By Shri M.P. Singh, Member(A)

The present RA is filed on behalf of the applicant for review of our oral judgement dated 12.09.2001 by which OA No.301/2000 was dismissed being devoid of merit and for the detailed reasons recorded therein.

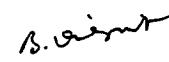
2. Review is sought on the ground that the applicant was able to obtain and despatch to his counsel orders dated 17.08.2001 and 4.01.2001 issued by the Ministry of Home Affairs, which is the cadre controlling authority in his case, only on 12.09.2001 and in pursuance of these orders, judgement dated 12.09.2001 needs to be recalled and reviewed. A perusal of the order dated 17.08.2001 makes it clear that officers presently working against the identified post shall not automatically be granted these pay scales and that orders regarding identification of the posts of Jt. Director and Asst. Director Gr.I in the Cadre Units of Central Sectt. Official Language

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Service by virtue of above cadre restructuring were being issued separately. In our aforesaid judgement dated 12.09.2001 we have already held that the Government has not yet identified the 65 upgraded posts and has also not amended the R/Rules for the post of AD Gr.I as suggested by the Pay Commission. That apart, order dated 4.1.2001 talks of upgradation of the pay scale of the post of Director, which is not applicable to the review applicant, who actually retired as Dy. Director (OL). In view of this position, the present RA is not maintainable under Rule 22(3)(f) of AT Act, 1985 read with Order 47, Rule 1 CPC and is accordingly dismissed.



(M.P. Singh)  
Member(A)



(Birendra Dikshit)  
Vice-Chairman(J)

/gtv/