

REGISTERED

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH
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Commercial Complex(BDA),
Indiranagar,
Bangalore - 560 038

Dated : 27-87

Review APPLICATION NOS. 84 to 86/87 /88()

In Application Nos. 1448 to 50/86(F)

WXRxxM@

Applicant

Shri.P.K.Divakaran & 2 ors. V/s. The Secretary, Min. of Defence & ors.

To

1. Sh.P.K.Divakaran,
Gr.II Steno, INAS,
Integration Orgn., M/o Defence
Vimanapuram PO,
Bangalore.
2. Sh.V.V.Narayan Menon,
Steno Gr. II,
HQ- Training Command, IAF,
Bangalore- 6.
3. Smt.S.Kanya Kumari
Steno Gr. II,
HQ- Training Command, IAF,
Bangalore- 6.
4. Sh.Ravivarma Kumar, Advocate,
11, Jeevan Buildings,
Kumara Park East, B'lore. 1.
5. The Secretary,
Min. of Defence, New Delhi.
6. The Air Officer,
Commanding-in-Chief,
HQ, Training Command,
Indian Air Force, B'lore.6.
7. The Officer Commanding,
HQ-Training Command (Unit),
Air Force, Hebbal, Bangalore-6.

Subject: SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~STAY~~/
~~INTERIM ORDER~~ passed by this Tribunal in the above said
application on 25th June, 1987

Heer
SECTION OFFICER
(JUDICIAL)

Encl : as above

8. Sh.M.S.Padmarajaiah,
Senior Central Govt. Standing Counsel,
High Court Buildings, B'lore- 1.

d/c

Issued

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21/7/87

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE

DATED THIS THE 25TH DAY OF JUNE, 1987.

PRESENT:

Hon'ble Mr. Justice K.S. Puttaswamy,

.. Vice-Chairman.

And

Hon'ble Mr. L.H.A. Rego.

.. Member(A)

REVIEW APPLICATION NUMBERS 84 TO 86 OF 1987.

(A.Nos. 1448 TO 1450 OF 1986)

1. P.K. Divakaran.

2. V.V. Narayana Menon.

3. Smt. S. Kanya Kumari.

.. Applicant.

(By Sri Ravivarma Kumar, Advocate)

v.

1. Union of India,
Ministry of defence.

2. HQ Training Command
Indian Air Force,
Bangalore.

3. The Officer Commanding,
HQ Training Command (Unit),
Air Force, Bangalore-6.

.. Respondents.

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This application coming for hearing this day, Vice-Chairman made the following :

O R D E R

In these applications made under Section 22(3)(f) of the Administrative Tribunals Act, 1985 ('the Act'), the applicants have sought for review of an order made on 3-11-1986 dismissing their Applications Nos. 1448 to 1450 of 1986.

2. In these applications, the Bench examined the claim of the applicants for grant of incentives for passing speed tests announced in 1975 with reference to their refixation of pay from 1-1-1973 and rejected the same for the various reasons it had given in support of the same.

3. Sri Ravi Varma Kumar, learned counsel for the applicants contends, that the order made by this Tribunal calls for a review on the ground that the Department had accepted a similar claim in the case of others.



4. Sri M.S.Padmarajaiah, learned counsel for the respondents, submits that the benefits to others had been wrongly extended ~~to certain persons~~ and the same will be withdrawn.

5. We will assume that the department had rightly or wrongly granted a similar concession claimed by the applicants to certain other persons. But, that also can hardly be a justifiable ground for review.

6. On an examination of the contention urged, this Tribunal had expressed a particular view and rejected the claim of the applicants. We cannot now examine that view as a Court of Appeal that too with reference to facts that were not placed and come to a different conclusion. In any event, the Tribunal cannot modulate its views on the views, if any expressed by officers of Government in other cases. We find no patent error in the order made by this Tribunal justifying a review. We, therefore, reject these applications. But, in the circumstances of the cases, we direct the parties to bear their own costs.

bsg/np-

VICE-CHAIRMAN

MEMBER(A) 25.6.57

SECTION OFFICER
CENTRAL ADMINISTRATIVE TRIBUNAL
ADDITIONAL BENCH
BANGALORE