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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAY BENCH 'GULESTAN' BUILDING No.6
PRESCOT ROAD, BOMBAY : 1

Review Petition No.1/96 in
Original Application No. 1102/94

passed this 29th day of January 1996

CORAM: Hon'ble Shri M.R. Kolhatkar, Member (A)

Shri M.G. Joshi and 8 others

... Applicants.

V/s.

Union of India and others

... Respondents.

O R D E R (CIRCULATION)

¶ Per Shri M.R. Kolhatkar, Member (A) ¶

This Review Petition has been filed by original applicants praying for review of our ^{common} judgement in O.A. 1102/94 and in O.A. 1359/94. With reference to para 9 of the judgement, the applicants contend that they are not trying to re-open the issue settled by the judgement of the Principal Bench of the Tribunal and the Hon'ble Supreme Court, but they are raising the issue that the principle of law laid down in the above judgements is not being strictly followed by the respondents. The Review petitioners also contend that the instructions dated 5.7.94 issued by the respondents have been issued on their own and not in accordance with the directions of the Hon'ble Supreme Court. Moreover these instructions are not having any retrospective effect. And hence till 5.7.94 the applicants are required to be compensated with reference to the junior with whom they are comparing

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their case. On perusal of this and other contentions in the review petition, it appears to me that the review petitioner ^{contends} that the judgement is wrong and needs to be modified. The Review Petition is not within the parameters of the review jurisdiction laid down in the Rules under Order 47 of the CPC which relate to an error apparent on the face of the record or any new material or other satisfactory grounds. I am, therefore, of the view that the review petition has no merit and is liable to be dismissed. Accordingly the review petition is dismissed by circulation as permissible under Rules.

M.R. Kolhatkar

(M.R. Kolhatkar)
Member (A)

NS