

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

GULESTAN BLDG.NO.6,FRESCOT RD, 4TH RD,

MUMBAI - 400 001.

REVIEW PETITION NO:106/96 IN O.A.745/95.

DATED THIS 11TH DAY OF DECEMBER, 1996.

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

M.G.Nagarkarn
Tradesman 'F' with
N.F.C.L. on deputation
and residing at present
Type-B-22/2, TAPS Colony, Post
T.A.P.P. Taluka Palghar,
Dist.Thane, Pin - 401504.

... Review Petitioner

v/s.

1. Managing Director,
Nuclear Power Corporation Ltd,
16th Floor, WTC,
Bombay - 400 005.
2. The Union of India,
through Secretary,
Department of Atomic Energy,
Anushakti Bhavan,
Chhatrapati Shivaji Maharaj Marg,
Government of India,
Bombay - 400 009.
3. Director, (Station),
Tarapore Atomic Power Station,
Tarapore, Thane.
4. Senior Maintenance Engineer(E),
Nuclear Power Corporation Ltd,
TAPS, Thane - 401 504.

... Respondents.

{ ORDER BY CIRCULATION }

1. This is an RP filed by the original applicant seeking a review of my order dated 31/7/96. The main ground for prayer is that the judgement contains an error apparent on the face of the record in relation to definition of emoluments as given in section 3(2) CCS revised pay rules 1986.

Section-3 relates the definition.

Section-3(2) says that existing scale in

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relation to a Government servant means the present scale applicable to the post held by the Government servant for, as the case may be, personal scale applicable to him) as on the 1st day of January, 1986 whether in a substantive or officiating capacity.

2. In para-4 of the judgement, reasons for fixation of the pay of the applicant in terms of Ministry of Finance letter dated 30/11/74 were referred to and the same were upheld. It is not clear how the definition of emoluments ~~existing~~ scale under Rule-3(2) can help the applicant.

3. The rest of the contentions in the RP appear to challenge the correctness of the judgement. Such grounds of challenge are not relat^{able} to rules under order 47 of CPC^{and} are not relevant in an RP.

4. I am of the view therefore, that the RP has no merit and I dismiss the same by circulation as is provided in rules.

abp.

M. R. Kolhatkar

(M. R. KOLHATKAR)
MEMBER (A)