

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI.

REVIEW PETITION NO: 30/2000 IN
ORIGINAL APPLICATION NO: 635/95

the 10th day of JULY 2000

CORAM: Hon'ble Shri B.N. Bahadur, Member (A)

Hon'ble Shri S.L. Jain, Member (J)

All India Salt Department
Employees Union, Bombay Unit,
Through Shri P. Hariram,
General Secretary and others.

...Applicants.

V/s

The Union of India through
The Secretary, Ministry of
Industry, Department of
Industrial Development,
Udyog Bhavan, New Delhi and others.

...Respondents.

TRIBUNALS ORDER ON REVIEW PETITION BY CIRCULATION.

{Per Shri S.L.Jain, Member (J)}

The applicants in OA 635/95 have filed this Review Petition under Rule 17 of the CAT (Procedure) Rules 1987 in respect of the order dated 5.5.2000 by which the OA is finally decided.

2. The ground of the Review is that the Tribunal has omitted to mention the date from which the parity in scale of pay between applicants and Inspectors of Central Excise, is to be given to the applicants, the pay of the applicants requires to be refixed in the scale of pay of Rs.500 - 900 with effect from 1.1.1980 onwards and increments granted annually and arrears to be paid to the applicants since then, the Tribunal has not specifically given any direction in its order to the respondents to place the applicants in pay scale of Rs. 500 - 900 and refix their basic pay and allowances since 1.1.1980, whether any arrears of pay due

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to re-fixation of pay in the scale of pay of Rs. 500 - 900 are to be given or not? The applicants pray that Review Petition be allowed, a clarification order in respect of order dated 5.5.2000 in OA 635/95 regarding date from which the applicants are entitled for their pay fixation in the same scale of pay (Rs. 500 - 900) as given to their counterparts in Central Excise department and their further entitlement of arrears of difference of Pay.

3. Suffice to state that the applicants have not gone into para 20, 21, 23 and 24 of the order. Had the said paras been perused by the applicants, the said contention must have not been raised in the Review Petition.

4. It is also one of the point of review that in Writ Appeal No. 209/79 delivered on 15.3.1985 by Hon'ble High Court of Madras, full and complete arrears of difference of pay were awarded to the Appellants. In review petition a re-hearing of the matter is not permissible.

5. If any clarification is necessary, which is a separate relief and not a review, the applicants are at liberty to put their grievance as per provisions of law. The mere apprehension that respondents shall not implement the order properly, cannot at this stage be a ground either for review or clarification.

6. In the result the Review Petition deserves to be dismissed without notice to the respondents and is dismissed accordingly.

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(S.L.JAIN)
Member(J)

B. N. Bahadur
(B. N. BAHADUR)
Member (A)

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order/Judgement despatched
to Applicant/Respondent (s)
on 19/2/00
21/2/00