

(12)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH

AT HYDERABAD.

R.P.No. 23/94 MA 311/94 Date of Order : 26-4-94
O.A.No.315/90.

Divl. Personnel Officer,
S.E.Rly., Waltair.

..Applicant

Vs. °

1. Authority under Payment of
Wages Act, Office of the
Dy. Labour Commissioner,
Dwarakanagar, Visakhapatnam.

2. Appellate Authority under
Payment of Wages Act,
District Court Buildings,
Visakhapatnam.

3. Labour Enforcement Officer
(Central), Port Area,
Visakhapatnam.

4. D.Charles

..Respondents

Counsel for the Applicant :: Shri N.R.Devaraj, Sr. CGSC

Counsel for the Respondents:: Shri D.Panduranga Reddy
Shri P.Krishna Reddy for R4.

C O R A M

Hon'ble Shri A.B.Gorthi : Member(A)

Hon'ble Shri T.Chandrasekhar Reddy : Member(J)

O r d e r

X of the Division Bench delivered by Hon'ble Shri A.B.Gorthi,
Member(A) X

(In circulation)

By means of this Review Application, the Divl. Personnel Officer, S.E.Rly., Visakhapatnam seeks a reconsideration of our judgement dt. 24.12.93 in O.A.No.315/90. The O.A. was filed by the Review Applicant herein for setting aside the order of the Appellate Authority under Payment of Wages Act confirming the order of the Authority under Payment of

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Copy to:-

1. Authority under Payment of Wages Act, O/D Dy. Labour Commissioner, Dwarakanagar, Visakhapatnam.
2. Appellate Authority under Payment of Wages Act, District Court Buildings, Visakhapatnam.
3. Labour Enforcement Officer (Central), Port Area, Visakhapatnam.
4. Divisional Personnel Officer, S.E. Railway, Waltair.
5. One copy to Sri. N.R. Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Sri. D. Panduranga Reddy, Spl. counsel for A.P. State.
7. One copy to Sri. P. Krishna Reddy, advocate, CAT, Hyd.
8. One spare copy.

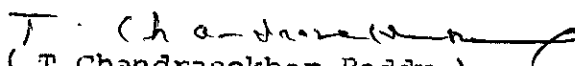
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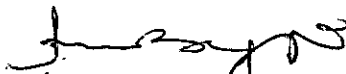
Wages Act in P.W. Case No. 7/84 and to declare that Shri D. Charles (R4) is not entitled to the benefits of differential wages for the period between 1977 and 1983. In the said judgement we noted that Shri D. Charles was given promotion with effect from the due date keeping in view the date of promotion of his junior but he was denied the consequential monetary benefits. Having heard learned counsel for both the parties and having carefully examined the material before us we came to the considered view that the order of the P.W. Authority granting monetary benefits to R4 suffered from no such irregularity as would warrant our interference. The O.A. was thus dismissed.

2. In this Review Application certain aspects of the case were re-agitated alleging that we overlooked the same in our judgement in the O.A. A perusal of our judgement would show that the various issues raised by the parties were duly considered and ^{carefully} analysed. In any case, the scope of review does not extend to advancing further arguments, either old or new. The Review Petition fails to bring out any such error in our judgement as would justify a review of it.

3. In the result, the Review Application is rejected.


4. As the Review Application has been filed beyond the period of limitation, it is supported by M.A.No.311/94 seeking condonation of delay. As we are rejecting the Review Application on merits, no useful purpose would be served by condoning the delay. Hence M.A.No.311/94 is dismissed.


(T. Chandrasekhar Reddy)
Member(J).


(A.B. Gorthi)
Member(A).

Dated: 21 April, 1994.

br.


Dy. Registrar(J)

Contd. -- 31-

MA 311/94
RD-512. 570794
O.A. 315/90

TYPED BY

COMPILED BY

CHECKED BY

APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDERABAD BENCH AT HYDERABAD

THE HON'BLE MR. JUSTICE V. NEELADRI RAO
VICE CHAIRMAN

AND

THE HON'BLE MR. A. B. GORTHI : MEMBER (AD)

AND

THE HON'BLE MR. T. CHANDRASEKHAR REDDY
MEMBER (JUDL)

AND

THE HON'BLE MR. R. RANGARAJAN : M (ADMN)

Dated: 26/4/1994

ORDER/JUDGMENT

M.A./R.A./C.A. No. (570794)

MA 23/94 and MA 311/94
in

O.A. No. 315/90

T.A. No. _____

(w.p. _____)

Admitted and Interim Directions
Issued.

Allowed

Disposed of with directions

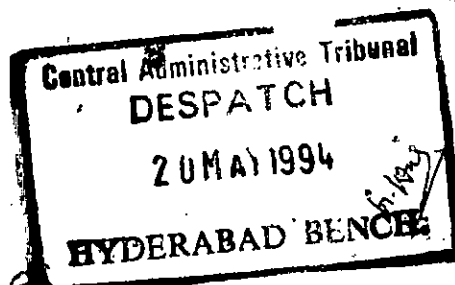
Dismissed.

Dismissed as withdrawn.

Dismissed for Default.

Rejected/Ordered.

No order as to costs.



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