

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL :: HYDERABAD BENCH ::
AT HYDERABAD.

R.P.No.52 of 1992
in
O.A.No. 1071/91.

Date of Decision: 30-4-92

Between:

1. S.Yellaiah
2. V. Yadaiah
3. C. Jagan

..

.. Petitioners/Applicants

And

1. The Chief General Manager,
Telecommunications, A.P., Hyd.
2. The General Manager, Hyderabad
Telecom Dist., Hyderabad.
3. The Secretary to Govt. of India,
Min. of Communications, New Delhi. .. Respondents/Respondents

For the Petitioners : Sri U.R.S. Gurupadam, Advocate.

For the Respondents : Sri Naram Bhaskara Rao, Addl. CGSC

CORAM:

THE HON'BLE SRI R. BALASUBRAMANIAN, MEMBER (A)

THE HON'BLE SRI C.J. ROY, MEMBER (J)

XORDERS PASSED IN CIRCULATION AS PER HON'BLE SRI C.J.ROY, M(J) X

....

This is a Review Petition filed by the petitioners herein Under Rule 17 of the Central Administrative Tribunal (Procedure) Rules, 1987 seeking review of the Judgment dt. 21-2-1992 in O.A.No.1071/91. The petitioners and respondents herein are one and the same respectively.

2. The petitioners herein were appointed as Pump Operat in the year 1974, 1977 and 1974 respectively in the pay Rs.196-232. It was alleged that they were deprived of scale of Rs.210-290 and have come to know about the

about eight years and represented the matter to the General Manager, Telephones, Hyderabad through their Association, who had in turn referred the matter to the Director General, Posts & Telegraphs, New Delhi. It is alleged that since then no reply is given to them in the matter. It is also their contention that there is a continuous cause of action that arises each month as they draw pay and allowances in the lower scale of pay than the one prescribed. The petitioners state that the matter was being referred by the General Manager, Telephones, Hyderabad Telephone Dist. to the Director General P & T, New Delhi in the meetings held, and that the same was reflected in the minutes of the meeting held on 23-10-82 and also subsequently.

3. It is relevant to state herein that the grounds raised in this R.P. were all considered while deciding the main O.A. As per Rule-17 of CAT & (Procedure) Rules, 1987 review is maintainable only -

"if there is a mistake apparent on the face of the record or there is no material which they could not place at the time of hearing but subsequently got some information which they could not produce with due diligence."

In that view of the fact, it can be seen that Review Petitioners neither raised any new point nor pointed out any mistake apparent on the face of the record or furnished any material which they could not place at the time of hearing but got some information subsequently. The Review Petitioners re-iterated the points already raised in the main O.A. and all the points were considered while deciding the matter. The contention that there is continuous cause of action as averred by the petitioners cannot be accepted in the circumstances of the case. Had applicants been aggrieved, they could have approached

proper form with the grievance, within the time prescribed. In the said circumstances, it is not a fit case to interfere in the Review.

4. Under the circumstances, the R.P. is dismissed accordingly. No order as to costs.

R.Balasubramanian

(R.Balasubramanian)
Member (A)

grh
(C.J. Roy)
Member (J)

Dated 30 th April, 1992.

4
Deputy Registrar (J)
grh

grh.

To

1. The Chief General Manager, Telecommunications, A.P.Hyd.
2. The General Manager, Hyderabad Telecom Dist. Hyderabad.
3. The Secretary to Govt. of India, Min. of Communications, New Delhi.
4. One copy to Mr.U.R.S.Gurupadam, Advocate
16-9-831/12/A, Sarojini Nagar, Old Malakpet, Hyderabad-36
5. One copy to Mr.N.Bhaskar Rao, Addl.CGSClCAT.Hyd.
6. One spare copy.

pvm.