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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: HYDERABAD BENCH:
AT HYDERABAD

REVIEW-APPLICATION-NO.24-of-1997
in
ORIGINAL-APPLICATION-NO.434-OF-1996

DATE-OF-ORDER:-16th-June,1997

BETWEEN:

ZAMIN ALI

.. APPLICANT

AND

1. The Manager, Mail Motor Service (Postal),
Hyderabad 500195,
2. The Director of Postal Services,
Office of the CPMG, A.P.Circle,
Hyderabad 500 001,
3. The Chief Post Master General,
A.P.Circle,
Hyderabad 500001.

.. RESPONDENTS

COUNSEL FOR THE APPLICANT: Mr. BSA SATYANARAYANA

COUNSEL FOR THE RESPONDENTS:Mr.N.R.DEVARAJ, Sr.CGSC

CORAM:

HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.)

ORDER

ORAL ORDER (PER HON'BLE SHRI R.RANGARAJAN, MEMBER (ADMN.))

Heard Shri BSA Satyanarayna for the applicant and
Shri N.R.Devaraj for the respondents.

2. The applicant in the OA has filed this R.A. The
OA was disposed of by order dated 29.10.96. There were
five prayers in that OA which are indicated in pages 3 and
4 of the judgement. This R.A. is filed for reviewing the



decision of this Tribunal in regard to the relief Nos.3 and 4. The review asked for in this RA is in regard to payment of subsistence allowance from 20.11.91 to 8.5.94 treating that period as deemed suspension with due and periodical upward revisions as the applicant is not entitled for back wages and to treat the period of absence from 9.5.94 to 16.11.94 as on duty with full pay and allowances. The Tribunal negatived the first relief in the judgement and had given certain directions regarding the second relief.

3. The prayer to treat the period of absence from 20.11.91 to 8.5.94 as deemed suspension and pay the subsistence allowance has been discussed in detail in paras 6 to 9 of the judgement. The rule position namely FR 54-A(1), the judgement of the Supreme Court wherein it was directed to reinstate the applicant without back wages and Section 20-H of the Minimum Wages Act were considered in depth taking due note of the submission of the applicant as well as that of the respondents. In the R.A. also, the same points which were put forward while arguing the OA are stated. When I asked the learned counsel for the applicant to bring out any new point which requires consideration which were not dealt with in the judgement, the learned counsel submitted that he will file a short written submission indicating the new points. Accordingly, he had submitted a "written submission" on 28.5.97. This written submission does not bring out any other new point except what was stated in the R.A. affidavit which were all discussed in the judgement. Hence, I see no reason to review the decision in the judgement in regard to the above relief.

4. The applicant prays for review of the decision in regard to the treatment of the period of absence from 9.5.94 to 16.11.94. This prayer has been considered in depth in paras 10 to 12 of the judgement. The direction given in those paras in no way needs any modification on the basis of the contentions made in this R.A. as well as in the written submission.

5. In view of the foregoing, I find that there is no error apparent in the face of the records in the judgement requiring review of the judgement dated 29.10.96 in regard to the above reliefs.

6. In the result, the R.A. lacks merit and hence it is dismissed. No costs.



(R.RANGARAJAN)
MEMBER (ADMN.)

DATED: -16th-June, -1997

Handwritten notes:
23/6/97
Dy. Registrar (B.U.)

vsn

Copy to:-

1. The Manager, Mail Motor Service(Postal), Hyd.
2. The Director of Postal Services, Office of the CPMG, A.P.Circle, Hyd.
3. The Chief Post Master General, A.P.Circle, Hyd.
4. One copy to Sri. B.S.A.Satyanarayana, advocate, CAT, Hyd.
5. One copy to Sri. N.R.Devaraj, Sr. CGSC, CAT, Hyd.
6. One copy to Deputy, ...
7. One spare copy.

Rsm/-

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APPROVED BY

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
HYDRABAD

THE HON'BLE SHRI R. RANGARAJAN: M(A)

AND

THE HON'BLE SHRI B.S. JAI PARAMESHWAR: M
(J)

DATED: 16/6/97

ORDER/JUDGEMENT

M.A./R.A/C.A. NO. 24/97

C.A. NO.

434/96

Admitted and Interim directions
Issued.

Allowed

Disposed of with directions,

Dismissed.

Dismissed as withdrawn

Dismissed for default

Ordered/Rejected.

No order as to costs.

YLKR

II Court.

केन्द्रीय प्रशासनिक अधिकरण
Central Administrative Tribunal
प्रेषण/DESPATCH
- 4 JUL 1997
हस्ताक्षर/सादर
HYDRABAD BENCH