

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR.

R.A. No. 37/94
(TA 247/92)

Date of decision: 22.7.94

JAGDISH NARAIN SAINI : Applicant.

VERSUS

UNION OF INDIA & ORS : Respondents.

Mr. R.S. Bhelauria : Counsel for the applicant.

Mr. U.D. Sharma : Counsel for the respondents.

CORAM:

Hon'ble Mr. Gopal Krishna, Member (Judicial)

Hon'ble Mr. O.P. Sharma, Administrative Member

PER HON'BLE MR. O.P. SHARMA, ADMINISTRATIVE MEMBER:

Heard the learned counsel for the parties.

2. This is a review application seeking a review of order dated 6.5.94 passed in O.A. No. 247/92.


3. In this case, the grievance of the applicant was that his hours of work had been drastically reduced by the respondents, with the result that his emoluments/wages were correspondingly reduced. The Tribunal while hearing the O.A. was of the view that the hours of the work of the applicant were unjustifiably reduced. The Tribunal, therefore, held that the applicant shall be entitled to the same hours of work and wages from the date of the order of the Tribunal as per Annexure A-1 dated 21.10.81 by which he was appointed.


4. The learned counsel for the applicant seeking review of the order has stated that as per para 7 of the order, Annexures 11 and 12 have been quashed by the Tribunal. The effect of quashing of these orders is that these orders are deemed to be not in existence ab initio and, therefore, the applicant is entitled to back wages etc. from the original dates on which these orders were passed.

5. We have gone through the order dated 6.5.94 carefully. The applicant's hours of work had been reduced and correspondingly lower wages had been paid

to him commensurate with the reduced hours of work. We could not have ordered that the applicant may be treated as having worked longer hours from a back date, when, in fact, one could not have worked for longer hours from a back date. In these circumstances, the Tribunal had directed vide para 7 of the order dated 6.5.94 that the applicant shall be entitled to longer hours of work and corresponding wages from today, i.e., from which the order was passed. We see no error in our order dated 6.5.94 and it calls for no review.

6. In the result, the Review Application is dismissed.


(O.P. SHARMA)
Administrative Member


(GOPAL KRISHNA)
Member(Judicial)