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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH, JAIPUR

Date of order: 3 4.2000

RA No.9/2000 (OA No.100/96)

V.B.L.Rawat S/o Shri Drarka Prasad Rawat, aged 68 years, retired DCMI, Western Railway, Agra at present residing at Jaipur.

.. Review Petitioner

Versus

1. Union of India through the General Manager, Western Railway, Church gate, Mumbai.
2. The Divisional Railway Manager, Western Railway, Kota.
3. Senior D.C.S., Western Railway, Kota Division, Kota.

.. Respondents

CORAM:

Hon'ble Mr. S.K.Agarwal, Judicial Member

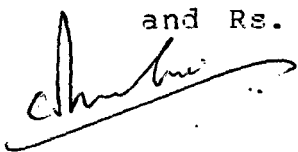
Hon'ble Mr. N.P.Nawani, Administrative Member

ORDER

Per Hon'ble Mr. N.P.Nawani, Administrative Member

This Review Application has been filed for modification of the order dated 17.2.200 delivered in OA No.100.96, V.B.L.Rawat V. Union of India and ors. The relevant paragraphs of the order are extracted below:

"5. We have carefully gone through the records but it is not possible for us to determine whether it is a fact that his juniors were promoted and whether he was also considered. The applicant has no right of promotion but he certainly has a right to be considered if he was eligible and if his juniors were actually promoted, such consideration should be treated as part of "all consequential benefits". We do observe that the letter dated 29.1.1998 (Ann.R1) and the enclosed revised calculation sheet mentions the applicant's pay as Rs. 2300/- in the scale of Rs. 2000-3200 (RP). However, the applicant claims that if he was promoted alongwith his juniors, he would have been enjoying the pay of Rs. 2375/- from April, 1989 and Rs. 2450/- from April, 1990 on account of his



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**In The Central Administrative Tribunal  
Jaipur Bench, Jaipur**

RA OA/TA/MP No. 9/2020 (OA 100/96)

V.B.L. Rawat Versus U.O.L. 2020

Date of Order	Orders
	<p>This is a revision application filed by applicant through his counsel in OA No. 100/96, V.B.L. Rawat vs. U.O.L. 2020, against order dt. 17/2/2020 passed by Hon'ble Mr. S.K. Agarwal Jt. member and Hon'ble Mr. N.P. Walwani Admn. member. The R.A. is registered and put up in chamber of circulation.</p> <p><del>S.O. (Pdt)</del> <u>24/3/20</u></p> <p><del>P.A.</del> Submitted for perusal of P.A.</p> <p><del>Hon'ble Member (A)</del> <u>24/3/2020</u></p> <p><del>Hon'ble Member (S)</del> <u>24/3/2020</u></p> <p>By circulation May-21-2020 M (T) <u>3.4.2020</u></p> <p>50/2020</p>

promotion to the pay scale of Rs. 2375-3500 and his arrears, pension and retiral benefits would have been calculated accordingly.

6. We, therefore, dispose of this Original Application with a direction to the respondents to consider promotion of the applicant, if found suitable, in the pay scale of Rs. 2375-3500 from the date his juniors were promoted and if he is found fit for promotion, recalculate his arrears of pay, arrears of pension and other retiral benefits and pay him the same. This direction may be carried out as expeditiously as possible but not later than six months from the date of receipt of a copy of this order."

2. It has been submitted in the Review Application that during the pendency of the said OA, the respondents had issued orders for promotion of the applicant to the post of D.C.M.I. in the pay scale of Rs. 2375-3500 (RP) vide GM(E) CCGs order No. EC.839/2/7/3 Vol.III dated 19/20 March, 1998 w.e.f. 27.3.1989, the date from which juniors to the applicant were so promoted. A copy of the said order was produced before the Tribunal on 11.2.2000 at the time of arguments. After the arguments the judgments was reserved and pronounced on 17.2.2000 but due to omission the order of the promotion was not taken into consideration and a direction to consider the applicant for promotion to the scale of Rs. 2375-3500 was also issued. It is submitted that this part of the direction is of no use to the applicant and, on the other hand, it may delay the payment of arrears of pay and arrears of pension and other retiral benefits which were also part of the directions. It is, therefore, prayed that the final order in the said OA may be reviewed.

3. We have considered the submission made in this Review Application and are satisfied that a copy of the promotion order dated 19/20.3.1998 was produced before the Tribunal during the argument stage and the same was also taken on record. In view of this, we consider it just and proper to delete paragraph No.5 in the order dated 17.2.2000 in OA No.100/96 and modify the paragraph 6 as under:

*ahm*


We, therefore dispose of this Original Application with a direction to the respondents to re-calculate the arrears of pay, arrears of pension and other retiral benefits in respect of the applicant and pay him the same. This direction may be carried out as expeditiously as possible but not later than six months from the date of receipt of a copy of this order.

4. This Review Application is disposed of accordingly.  
By circulation.



(N.P. NAWANI)

Adm. Member



(S.K. AGARWAL)

Judl. Member