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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL, JAIPUR BENCH,

JAIPUR

* * *

RA No. 48/1996
(OA No. 10/96)

Date of order: 27-5-1997

Kapoor Chand Saini S/o Shri Ithairati Lal, P/o Malipur Jageer Bandikui, at present working on the post of Ithallasi - Temp. Bandikui, Western Railway, Jaipur.

.. Applicant in the OA

Versus

1. Union of India through General Manager, Western Railway, Churchgate, Bombay.
2. Divisional Railway Manager (E), Western Railway, Jaipur Division, Jaipur.
3. Permanent Way Inspector, Reengus, Jaipur Division, Reengus.
4. Divisional Personnel Officer, Western Railway, Jaipur Division, Jaipur.

.. Respondents in the OA
(Applicant in the RA)

Mr. Manish Bhandari, counsel for the official respondents
(applicants in this Review Application)

Mr. Shiv Kumar, counsel for Shri Kapoor Chand Saini.

CORAM:

Hon'ble Mr. Gopal Krishna, Vice Chairman

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

O R D E R

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

This is a Review Application filed by the official respondents in OA No. 10/96 seeking a review/recall of some of the observations made by the Tribunal in the order dated 25-9-96 while disposing of the aforesaid OA filed by the applicant Shri Kapoor Chand Saini. By the order dated 25-9-96 passed in the aforesaid OA, the Tribunal had directed that the applicant shall be taken back on duty. While issuing the above direction, the Tribunal had also stated that the Sr. Divisional Engineer (Hq),

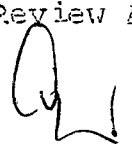
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Jaipur, to whom the applicant shall report for duty for the purpose of joining back, shall also mention the designation/post to which the applicant is posted and the scale of pay in which he is placed. The official respondents in the OA have sought a review with regard to these observations/directions of the Tribunal. According to them, the applicant was not in a regular scale of pay at the time when he claimed that his service has been dispensed with by the Railways and he did not hold a particular designation/post at that time but was only a substitute daily rated employee.

2. After hearing the counsel for the parties, we direct that on the applicant's rejoining duty in pursuance of the directions of the Tribunal given in the aforesaid order, he shall be given emoluments at the same rate, as increased from time to time, at which he was being paid before rejoining duty in pursuance of this order. The applicant shall also be given the same status on rejoining duty as he enjoyed before the applicant alleged that he has ^{not} been taken on duty.

3. The observations in para 5 of the Tribunal's order of which review has been sought stand modified accordingly. The Review Application stands disposed of.


(O.P. Sharma)

Administrative Member


(Gopal Krishna)
Vice Chairman