

**Central Administrative Tribunal
Jabalpur Bench**

RA No.23/2006 in OA No.236/2002

Jabalpur, this the ^{11th} day of December, 2007.

CORAM

Hon'ble Dr.G.C.Srivastava, Vice Chairman
Hon'ble Shri A.K.Gaur, Judicial Member

1. Union of India through
General Manager
Western Railway, Church Gate
Mumbai
2. Divisional Railway Manager
Western Railway, Do Batti
Ratlam.

Review Applicants

(By advocate Shri H.Y.Mehta on behalf of
Shri Y.I.Mehta)

Versus

Mohanlal
S/o Ram Lal
B/o Goods Driver
Under C.T.C.C. Western Railway
Ratlam Section
Ratlam.

**Respondent/Applicant
In OA.**

(By advocate Shri A.N.Bhatt)

ORDER

By A.K.Gaur, Judicial Member

This Review Application has been filed against the order dated 27.7.2004 passed by the Tribunal in OA No.236/02 in pursuance of the directions of the Hon'ble High Court in W.P.No.412/05. The applicant in OA No.236/02 had claimed stepping up of pay at par with his junior Shri Ratnachalam. This prayer was made on the basis that he and his next junior in the lower grade were working as Fireman Grade-A but due to an

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administrative error, the applicant's name was left out in the seniority list and so Ratnachalam was given adhoc promotion to the post of Goods Driver on 16.12.93 and thereafter the seniority list of Fireman grade-I was corrected showing the applicant to be senior to Ratnachalam and was given adhoc promotion. Thereafter both of them were regularized and further promoted but in view of the earlier promotion of Ratnachalam, he was getting higher salary. The main relief of the applicant was to step up his pay at par with Ratnachalam.

2. Learned counsel for the review applicants has vehemently argued that this Tribunal has failed to consider the effect of the Railway Board's circular and the order of the Tribunal in the case of Hansraj (in OA No.567/01). No other ground has been canvassed in support of their case.

3. We have carefully considered the ground taken in the review application for reviewing the original order. Hon'ble Supreme Court in **Union of India vs. T.R.Das** (2004 SCC (L&S) 160) has held that this Tribunal cannot act as an appellate court for reviewing the original order. Learned counsel for the respondent (applicant in OA) argued that in the guise of review, relief cannot be granted in a review application. In support of this, he has relied on 2005 SCC (L&S) 754 - **M.P.Electricity Board vs. T.N.Patel**. In our considered view, no valid or cogent grounds has been indicated by the review applicants warranting our interference with the original order under Section 22 (3) (f) of the Administrative Tribunals Act. For the aforesaid reasons, the RA is dismissed.

Anjan
(A.K.Gaur)
Judicial Member

Gaur
(Dr.G.C.Srivastava)
Vice Chairman