

Central Administrative Tribunal
Principal Bench
New Delhi

R.A.No.232/2017
in
O.A.No.2782/2016

New Delhi, this the 28th day of November, 2017

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Ms. Nita Chowdhury, Member (A)

1. Ms. Vinod Khanna, Aged 61 years,
D/o Late Shri T.C. Khanna,
R/o 510, Sector-A, Pocket C,
Vasant Kunj, New Delhi,
Retired as Date Entry Operator Grade 'B'.

2. Smt. Sumitra Sharma, Aged 61 years,
W/o late Shri N.K. Sharma,
R/o F-96, Sarojini Nagar,
New Delhi-110023.
Retired as Date Entry Operator Grade 'B' ...Applicants

Versus

1. Union of India through Secretary,
Ministry of Water Resources,
Shram Shakti Bhawan, Rafi Marg,
New Delhi-110001.

2. Joint Secretary and Finance Advisor
Govt. of India,
Ministry of Water Resources
Shram Shakti Bhawan, Rafi Marg
New Delhi.

3. Secretary, Deptt. of Expenditure
Ministry of Finance, North Block
New Delhi. ...

Respondents

ORDER (By Circulation)

The applicants, two in number and who are working as Data Entry Operators (DEO) Grade 'B' (previously as IBMO and re-designated as DEO w.e.f. 11.09.1989), filed the OA No.2782/2016, seeking the following reliefs :-

"8.1 May direct the Respondents to fix the pay scale of applicants as Data Entry Operator Grade 'B' with effect from 01.01.1986 as stipulated in O.M. dated 11.09.1989 and already done in the case of Punch cum Verifiers of the Central Water Commission;

8.2 May direct the Respondents to pay arrears of pay and perquisites to the Applicants for the period 01.01.1986 to 11.09.1989;

8.3 And, may pass such other orders and directions deem fit and proper in the facts and circumstances of the case.

8.4 May please to allow the OA with cost.

8.5 May pass any further orders as this Hon'ble Tribunal may deemed fit and proper in the facts and circumstances of the case."

After hearing both sides, the aforesaid OA was dismissed, by Order dated 06.09.2017. Seeking review of the said Order dated 06.09.2017, the instant RA is filed.

2. The only ground raised by the applicants is that this Tribunal has not considered the Judgement in OA No.560/1999 while disposing of the OA under review.

3. The contention of the applicants is unsustainable. While dismissing the OA, this Tribunal did consider the Judgement in OA No.560/1999 and after giving a specific finding that the applicants herein were not working as DEO Grade 'B' prior to 11.09.1989, as was the case with the applicants in OA No.560/1999, rejected the OA. They

only tried to reargue the OA, on merits, by filing the present RA, which is not permissible.

4. Accordingly, the RA is dismissed. No costs.

(Nita Chowdhury)
Member (A)

(V. Ajay Kumar)
Member (J)

/nsnrvak/