

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

R.A. No. 254/2015

O.A. No. 13/2013

Reserved on : 18.11.2015

Pronounced on : 24.11.2015

**HON'BLE MR. V. AJAY KUMAR, MEMBER (J)
HON'BLE MR. P.K. BASU, MEMBER (A)**

Mrs. Archana Bhatnagar
W/o Shri Tarun Bhatnagar
TGT, Employee No.19810165
Govt Girls Secondary School
Dhaka, Delhi - 110 009.

.. Applicant

(By Advocate: Shri V.K. Goel)

Versus

1. Director of Education
Directorate of Education
Govt. of N.C.T. Delhi
Old Secretariat,
Delhi-110054.
2. Mrs. Manju Rani Gupta
Ex. Vice Principal
Govt. Girls Secondary School,
Dhaka, Delhi - 110 009.
3. Govt. of NCT of Delhi
Through its Chief Secretary
Delhi Govt. Secretariat
I.P. Estate
New Delhi -110 002.

.. Respondents

(By Advocate: Shri N.K. Singh for Mrs. Avnish Ahlawat)

ORDER**By Hon'ble Mr. P.K. Basu**

This Review Application has been filed by the applicant against our order dated 14.08.2015 in O.A. No.13/2013.

2. The grounds for filing this Review Application are as follows:

(i) In para 7 of this judgment, it is indicated :

“...On completion of 30 years of service, she has been granted 3rd upgradation under MACP w.e.f. 01.09.2008 with grade pay of Rs.6600/- in pay band III.”

It is stated that it is factually not correct and the applicant was never granted the grade pay of Rs.6600/-.

(ii) It is argued that the judgment of Hon'ble Supreme Court in **Bhakra Beas Management Board Vs. Krishan Kumar Vij & Anr.**, JT 2010 (8) SC 497, does not apply in the present case.

(iii) As per judgment of Hon'ble Supreme Court in **Punjab & Haryana High Court** and also judgment of this Tribunal in O.A. No.904/2012, the applicant is entitled for next grade pay.

(iv) The applicant has come to know that Notification dated 29.08.2008 has been amended by Notification dated 12.03.2009 which shows that while granting 3rd MACP, the grade pay was required to be granted as Rs.6600/- in PB-III.

3. The only error apparent on the face of record is the statement in para 7 of the judgment referred to above by the applicant which is also clear from the 1st sentence of para 11 of our order which states "the next issue raised is whether on 3rd upgradation, she is entitled to scale of Rs.5400/- or 6600/- or next". Therefore, the sentence in para 7 referred to above is required to be deleted.

4. However, it would be seen that this has no impact on the final order in which we have basically analysed sub-paras (a), (b) and (c) of the letter dated 11.11.2009 and not granted the relief of 2nd financial upgradation on the ground that the applicant was not holding the Post Graduation Degree.

5. The other issues raised by the applicant are basically a critique of the logic based on which we have rejected the claim, which cannot be a ground for review application.

6. We have considered the law settled by the Hon'ble Supreme Court regarding scope of review application, specifically in **Kamlesh Verma Vs. Mayawati and Others**, (2013) 8 SCC 320 and **State of West Bengal and Others v. Kamal Sengupta and Another**, (2008) 8 SCC 612 and, in our opinion, the learned counsel for the applicant has not been able to point out any error on the face of record.

7. In view of above, this review application is disposed of with the following order:

In Para 7 of our judgment dated 14.02.2015 in O.A. No.13/2013, the following sentence is ordered to be deleted :

“On completion of 30 years of service, she has been granted 3rd upgradation under MACP w.e.f. 01.09.2008 with grade pay of Rs.6600/- in pay band III.”

(P.K. Basu)
Member (A)

(V. Ajay Kumar)
Member (J)

/Jyoti/