



Review Appln. (Writ) No.240 of 2024
in
W.P.No.34858 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

Review Appln.(Writ) No.240 of 2024
in
W.P.No.34858 of 2014

P.Prabhakaran

... Petitioner/2nd Respondent

Vs.

1. Union of India,
Represented by the Joint Secretary to Government,
Home Department,
Government of Union Territory of Puducherry,
Chief Secretariat,
Puducherry - 605 001.

2. The Divisional Fire Officer,
Fire Service Department,
Government of Union Territory of Puducherry,
No.34, Canteen Street,
Puducherry - 605 001.

... 1st and 2nd
Respondents/Petitioners



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3. The Central Administrative Tribunal,
Represented by its Registrar,
Additional City Civil Courts Building,
High Court, Chennai. ... 3rd Respondent/1st
Respondent

PRAYER: Review Application filed under Order 47 Rule 1 of the Civil Procedure Code r/w Section 114 of C.P.C., to review the order of this Court in W.P.No.34858 of 2014 dated 15.06.2015.

For Petitioner	: Mr.R.Saravanan
For Respondents	: Mr.R.Syed Mustafa Special Government Pleader (Puducherry) [For R1 and R2] : R3-Tribunal

ORDER

(Order of the Court was made by *S.M.SUBRAMANIAM, J.*)

The present review petition has been instituted to review the order of this Court dated 15.06.2015 in W.P.No.34858 of 2014.

2. The learned Counsel appearing on behalf of the review petitioner would mainly contend that the benefits of the Single Member



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Committee's recommendation was extended to the similarly placed employees and the review petitioner alone has been not granted the said benefit. Since the recommendations of the Single Member Committee was extended and the revision of scale of pay was given to the similarly placed persons, the order passed by this Court is to be reviewed.

3. The learned Special Government Pleader (Puducherry) appearing on behalf of the respondents 1 and 2 would oppose by stating that the constitution of Single Member Committee itself was found to be without Authority, since Puducherry is a Union Territory and bound to implement the order passed by the Government of India based on the Fifth Central Pay Commission. That apart, the recommendations of the Single Member Committee was not implemented by the Union Territory of Puducherry, since the constitution itself was found to be without Authority. Therefore, the grounds raised is not available for the review petitioner at this length of time.



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4. We have carefully perused the order sought to be reviewed.

5. The eligibility of the review petitioner for II ACP benefits are not in dispute. The contentions of the review petitioner is that the benefits granted by One Member Committee is to be extended. When this Court has dealt with the validity of the constitution of One Member Committee and further stated that the Pay Commission benefits implemented pursuant to the orders of the Government of India is to be followed by Government of Puducherry, we find no error apparent warranting exercise of review jurisdiction in the present case. In the absence of any error apparent, scope of adjudication cannot be expanded on merits in a review proceedings. Therefore, we find no merit and consequently, the review application stands **dismissed**.

[S.M.S., J.] [M.J.R., J.]
20.12.2024

Index : Yes/No
Speaking Order : Yes/No
Neutral Citation : Yes/No
veda



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To

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