

**THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,  
MUMBAI**

**REVIEW APPLICATION NO.13 OF 2016  
IN  
ORIGINAL APPLICATION NO.1132 OF 2015**

**DISTRICT : MUMBAI**

Shri Arun Ramchandra Chavan, )  
Jr. Clerk, Office of Executive Engineer, )  
National Highway Div. Kolhapur, And Residing )  
At R.S.No.165/2, Shantinagar, Pachgaon, )  
Tal – Karveer, Dist. Kolhapur. ) **..APPLICANT**

**VERSUS**

1. Government of Maharashtra, )  
Through Principal Secretary, )  
Public Works Department, )  
Mantralaya, Mumbai 400 032. )
2. The Chief Engineer, )  
National Highway, Konkan Bhavan, )  
5<sup>th</sup> floor, Navi Mumbai. )
3. The Superintending Engineer, )  
National Highway Circle, Kalanagar, )  
Near Nana-Deep Garden, )  
Bandra (East), Mumbai. )

4. The Executive Engineer, )  
National Highway Division, )  
Tarabai Park, Kolhapur. )

**....RESPONDENTS**

Shri A.R. Chavan, Applicant in person.

Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

CORAM : SHRI RAJIV AGARWAL, VICE-CHAIRMAN

DATE : 16.11.2016.

**J U D G M E N T**

1. Heard Shri A.R. Chavan, Applicant in person and Ms. N.G. Gohad, learned Presenting Officer for the Respondents.

2. This Review Application has been filed by the Applicant seeking review of the judgment dated 03.05.2016 with the prayer that the Original Application may be allowed.

3. The Applicant argued in person that he was seeking a very limited remedy of directions to the Respondents to consider his representation dated 31.10.2015 regarding benefits under Government Resolution dated 29.09.2003. The Applicant stated that he was seeking appointment to the post of Stenographer (Higher Grade) on the basis of his qualifications. However, the Respondents have mixed these

two issues viz. appointment of the Applicant as Stenographer (Higher Grade) on regular establishment and the absorption of the Applicant on Converted Regular Temporary Establishment (C.R.T.E.) after five years of daily wage establishment. As per G.R. dated 29.09.2003, the Applicant was eligible to be given designation of Stenographer (H.G.) as he was actually working in that post. Despite a large number of representations dated 29.04.2010, 01.12.2008, 01.11.2008, 19.03.2014, 05.06.2014 and 31.10.2015, no reply was received from the Respondents. The Applicant is, therefore, seeking that his representation dated 31.10.2015 may be decided expeditiously by the Respondents.

4. Learned Presenting Officer (P.O.) argued on behalf of the Respondents that this R.A. is not maintainable. The Applicant has not been able to show any error in the judgment of this Tribunal. The present R.A. is in the nature of an appeal, which cannot be entertained.

5. In the matter of **Ajit Kumar Rath Vs. The State of Orissa and others : (1999) 9 SCC 596, Hon'ble Supreme Court** has held that the scope of Review is limited to correction of a patent error of law or fact which stares in the face without any elaborate arguments being needed to establish it. In the present case, the Applicant has not been able to point out any error in the judgment of this Tribunal dated 03.05.2016. It is mentioned in the judgment that the request of the Applicant was finally rejected by letter dated 05.09.2006 by the Respondent No.1. By making repeated

representations, a stale claim cannot be revived. As no error in the judgment of this Tribunal dated 03.05.2016 is pointed out, this Review Application is not maintained.

6. Having regard to the aforesaid facts and circumstances of the case, this Review Application is dismissed with no order as to costs.

**Sd/-**

**(RAJIV AGARWAL)  
VICE-CHAIRMAN**

**Place : Mumbai  
Date : 16.11.2016  
Typed by : PRK**

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