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CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

Review Application No.291/2004 in M.A.No.1241/2004 in
Original Application No.1158/2002

New Delhi, this the 26th day of **October**, 2004

Hon'ble Mr. Justice V.S. Aggarwal, Chairman
Hon'ble Mr. S.K. Naik, Member (A)

Purushottam Dass
S/o Sh. Adil Ram
R/o G-4, Type-5,
New Police Lines
Kingsway Camp
New Delhi – 110 009.

... Applicant

Versus

Union of India through
Secretary
Ministry of Home Affairs
North Block
New Delhi – 110 001.

... Respondents

O R D E R (By Circulation)

By Mr. Justice V.S. Aggarwal:

It is being contended that the Delhi High Court has already passed an order to the effect that the seniority list in which contestants are falling shall not be acted upon till next date of hearing.

2. Some of the other facts can conveniently be delineated. The Original Application No.1158/2002 had been decided and directions had been given to the respondents. MA 1241/2004 was filed seeking direction to extend time to comply with the directions of this Tribunal. This Tribunal recorded that already on two occasions time had been extended. The operative part of the order reads:



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"To our query, there is no explanation forthcoming as to what effective steps have been taken to comply with the directions of this Tribunal. Even if some petitions are pending in the Delhi High Court, in the absence of any stay having been granted by that Court, there is no ground not to take steps for complying with the directions. Resultantly, we find no reason to extend the time."

3. The applicant, as already referred to above, contends that the said order is required to be recalled because the Delhi High Court in Civil Writ Petition No.598/2004 has directed that seniority list in which contestants are falling shall not be acted upon till next date of hearing.

4. It is not the claim of the applicant that the order passed in the Original Application had been stayed. The applicant, if so advised, may seek a stay order pertaining to the order that has been passed because admittedly, the said order, regarding which extension of time prayed, has not been stayed.

5. The respondents had been directed to frame a fresh seniority list. It is that order which has to be complied with. Therefore, we find no reason to recall the earlier order. The Review Application is dismissed in circulation.

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S.K.Naik
(S.K.Naik)
Member (A)

V.S. Aggarwal
(V.S. Aggarwal)
Chairman

/NSN/