

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

(142)

R.A.NO.37/2004 in M.A.No.190/2004 in
O.A.No.1595/2001

New Delhi, this the 15th day of July, 2004

HON'BLE SHRI JUSTICE V.S. AGGARWAL, CHAIRMAN
HON'BLE SHRI S.A.SINGH, MEMBER (A)

1. A.K.Bhattacharya
S/o N.Bhattacharya
R/o J-1/354, DDA Flats, Kalkaji
New Delhi-110019.
2. Trilochan Singh
87 MIG Flats, Ashok Vihar
Phase-4, New Delhi-110052.
3. Inderjit Singh
S/o late Shri Govind Singh
A-3/207, Janakpuri
New Delhi.
4. Charanjit Singh
S/O Shri Ram Singh
R/o B-174 Indira Nagar
Delhi-110033.
5. S.K.Walia
S/o Sh. K.S.Walia
C-42 Shakti Nagar Extn.
Delhi-110052.
6. Surajmal
S/o Late Birdhi Chand
Flat No.2
Saubhagya Apartments
Sector-9, Rohini
New Delhi. Applicants

(By Advocate: Shri Arun Bhardwaj)

vs.

1. State of Delhi through its
Chief Secretary,
Secretariat, I.P.Estate
ITO, New Delhi-110002.
2. The Secretary (Services)
Secretariat, I.P.Estate
New Delhi. Respondents

(By Advocate: Shri Vijay Pandita)

O R D E R

Justice V.S. Aggarwal:-

M.A.No.190/2004:

Keeping in view the facts stated in the MA, delay is condoned.

R.A.No.37/2004:

2. Applicants had filed OA 1595/2001. It was dismissed by this Tribunal on 21.3.2003 primarily on the ground that the reliefs claimed pertaining to seniority and regularisation were alive when the earlier applications had been filed. The same had been dismissed and therefore, the matter could not be reagitated. The applicants had filed Civil Writ No. 5432/2003 in the Delhi High Court. On 22.9.2003, ^{against the said order} The said petition was dismissed as withdrawn with liberty to move an appropriate application in this Tribunal.

3. Applicants seek review and rely upon the decision of the Apex Court in the case of RUDRA KUMAR SAIN AND OTHERS v. UNION OF INDIA AND OTHERS, 2000 SCC (L&S) 1055. The said decision has already been considered in our earlier Judgement and it was held that it has no application keeping in view the interse decision between the parties.


4. Keeping in view this fact, learned counsel for the applicants has alleged that the benefit of the past service necessarily must be given and that decision of this Tribunal runs counter to the decision

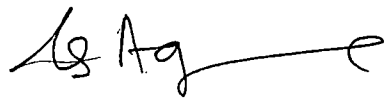
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of the Supreme Court. We have already recorded in the order of 21.3.2003 that there is a finality attached to the earlier litigation and it cannot be reopened.

5. Resuntantly, we find that there is no ground to review the same. The Review Application is dismissed.


(S.A. Singh)
Member (A)


(V.S. Aggarwal)
Chairman

/NSN/