

CENTRAL ADMINISTRATIVE TRIBUNAL : PRINCIPAL BENCH

RA 290/2002 in OA 562/2001

New Delhi, this the 31st day of December, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice-Chairman (J)
Hon'ble Sh. V.K.Majotra, Member (A)

1. I.S.Sharma, S/o Sh. M.R.Sharma
R/o E-2, Fire Station
Moti Nagar, New Delhi - 15.
2. Sh. Radhey Shyam, S/o Sh. S.N.Singh
R/o F-3, Nehru Place
Fire Station, New Delhi.
3. S.M.Rishi, S/o Sh. M.B.Rishi
R/o A-4, Fire Station, Laxmi Nagar,
Nr. Radhu Palace, Delhi.
4. Vijay Bahadur, S/o Late Sh. Raj Bahadur
R/o F-4, Fire Station, Janakpuri
New Delhi - 58. ...Applicants

V E R S U S

1. Govt. of NCT of Delhi
Through Chief Secretary
I.G.Stadium, I.P.Estate, New Delhi.
2. Principal Secretary (Home)
Govt. of NCT of Delhi
I.G.Stadium, I.P.Estate, New Delhi.
3. Chief Fire Officer
Fire Headquarter
Connaught Place, New Delhi.
4. Secretary
UPSC, Dhaulpur House,
Shahjahan Road, New Delhi. ...Respondents

O R D E R (IN CIRCULATION)

By Hon'ble Smt. Lakshmi Swaminathan, VC (J)

We have perused the averments in RA 290/2002 in OA 562/2001 with connected OAs. With regard to the observations made by the review applicants in para 3 of RA, the matter has been checked with Sh. Vikas Dhawan, Stenographer Gr. D who had taken the dictation of the oral order dt. 25-9-2002 in OA 562/2001 with connected cases. From the notebook, he has re-typed and shown to us the relevant portion of the judgement with reference to these averments i.e. paragraph 5 of the judgement/order dt. 25-9-2002 in OA 562/2001 with connected cases, copy placed on record. Sh. Vikas Dhawan, Stenographer

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Gr. D has apologised for an inadvertent mistake which has crept into the final order regarding omission of portion of the order which was dictated and is in the shorthand notebook, which has been underlined in the fresh draft placed on the record. We have also seen the prayers of the applicants in para 2 of the OA.

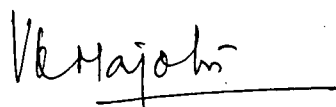
2. Having regard to the above facts and circumstances of the case, it appears that due to an inadvertent typographical error, one sentence in the last portion of para 5 of the order dated 25-9-2002 in OA 562/2001 with connected cases has been omitted, which has been pointed out in the review application.

3. In this view of the matter, having regard to Section 22 (3) (f) of the Administrative Tribunals Act, 1985 read with order 47 Rule 1 CPC, as there is an error apparent on the face of the record, RA 290/2002 is allowed.

4. Accordingly, the following shall be added at the end of Para 5 of the order dated 25-9-2002 in OA 562/2001 with connected cases :-

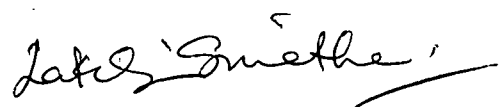
Accordingly, the respondents shall also re-consider the claims of the eligible applicant (s) in accordance with law with regard to the promotion to the post of Divisional Officers (Fire) - (DOs - Fire) having regard to the aforesaid observations and pass appropriate orders.

5. Let a copy of this order be issued immediately to the respondents and applicants.



(V.K. Majotra)
Member (A)

/vksn/



(Smt. Lakshmi Swaminathan)
Vice-Chairman (J)