

(1)

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

Hon'ble Shri Shanker Raju, Member (Judicial)

R.A.No.388/2001 in  
O.A.No.2828/2001

New Delhi, this the 8th day of February, 2002

1. Union of India through  
its Secretary  
Ministry of Communication  
(Department of Posts)  
New Delhi.

2. The Superintendent  
RMS, X Division  
Jhansi, UP.

3. The Sub Record Officer  
Railway Mail Service  
Mathura Junction  
Mathura.

... Review Applicants

(By Advocate: Shri S.Mohd. Arif)

Vs.

Shri Om Prakash Saini  
s/o Shri Gyasi Ram  
R.M.S., Mathura Junction  
Mathura (UP).

.... Review Respondent

(By Advocate: Shri D.P.Sharma)

O R D E R (Oral)

By Shanker Raju, Member (J):

Heard the parties.

2. By an order dated 16.10.2001 directions have been issued to the respondents, before issuing notices, to dispose of the representation of the applicant by passing a detailed and speaking order. By filing this RA 388/2001 for recalling the order on the ground that the representation as stated by the applicant has never been served upon them by the applicant. It is in this conspectus stated that there exists that the respondents have not been accorded opportunity to rebut the contentions of the applicant and in absence of the representation, it is difficult

2-2-

for them to comply with the directions. It is stated that even in the interest of justice and to safeguard it, the present order be recalled with opportunity to the respondents to present their case.

3. The learned counsel for the applicant, respondent in the RA, has stated that copy of the representation dated 18.9.2001 has been served upon the respondents in the OA.

4. I have carefully considered the rival contentions and find that in the directions to the respondents there has been a reference to the representation made on 23.2.2001 which the learned counsel for the applicant has failed to show that the same has been acknowledged by the respondents. In this view of the matter, I recalled the order dated 16.10.2001. OA is restored to its original position.

5. RA is accordingly disposed of. No costs.

S. Raju  
(SHANKER RAJU)  
MEMBER(J)

/RAO/