Hon'ble Shri Shanker Raju, Member (Judicial)

R.A.No.394/2001 in
O.A.No.2827/2001

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 Janardan Swaroop
   s/o Shri Bhagwat Swaroop
   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 394/2001 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

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. Rajn

(SHANKER RAJU)
MEMBER(J)

/RAO/