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**Central Administrative Tribunal
Principal Bench**

**CP No.399/2008
OA No.562/2001**

New Delhi, this the 25th day of November, 2008

**Hon'ble Mr. Shanker Raju, Member (J)
Hon'ble Dr. Ramesh Chandra Panda, Member (A)**

1. Sh. I. S. Sharma
through is legal representatives
(i) Smt. Sudarshan Sharma
(ii) SHri Amit Sharma

R/o 1164, Sector-VIII, Faridabad (Haryana)

2. Shri S. M. Rishi
about 61st years,
S/o Late Sh. M. B. Rishi
R/o A-Block, 3/80, Varun Apartment,
Sector-9, Rohinil, Delhi-85.

... Applicants.

(By Advocate : S. K. Gupta)

Vs.

1. Shri Rakesh Mehta
Chief Secretary,
Govt. of NCT of Delhi
Delhi Secretariat
I.P. Estate,
Delhi.
2. Shri G. B. Patnaik,
Principal Secretary (Home),
Govt. of NCT of Delhi,
Delhi Secretariat,
I. P. Estate
New Delhi.
3. Shri Alok Rawat,
Secretary,
UPSC, Shahjahan Road,
Dholpur House,
New Delhi 110 001.

... Respondents.

(By Advocate : Mrs. Renu George counsel for official respondents.
Mrs. Alka Sharma counsel for Respondent No.3.)

: O R D E R (ORAL) :

Hon'ble Shri Shanker Raju, Member (J) :

Heard the counsel.

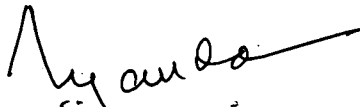
2. A non party to the OA who has not preferred a legal methodology by
not filing a review or to file a fresh OA to pursue the court in a different view

cannot be entertained or pleaded in any manner and cannot be permitted in a CP which is only concerned with the implementation of the directions of the Tribunal.


3. As the applicant since been promoted on 18.11.2008 as Assistant Divisional Officer (Fire) and on an undertaking learned counsel for the respondents in consultation with UPSC that the DPC for the next post of DO as per the review order passed on 31.12.2007 by the Director concerned shall be processed and completed within a period of three months. This CP stands disposed of with liberty to the applicant to revive in case of non compliance. Notices issued to the respondents are discharged.

4. Shri Arun Bhardwaj who espouses the case of one Shri Rajesh Panwar states that the name of his client has been wrongly shown which would effect further consideration of him as DO. He has a separate cause of action for which a remedy lies in accordance with law.

5. In view of the above observations, MA No.1908/2008 filed on 24.11.2008, vide Diary No.8757 stands disposed of accordingly. Process 'DASTI'.


(Dr. Ramesh Chandra Panda)
Member (A)

/pj/


(Shanker Raju)
Member (J)