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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A. No. 249/98

in

O.A. No. 411/98

New Delhi this the 4th Day of January 1999.

Hon'ble Mr. R.K. Ahooja, Member (A)

1. Government of NCT of Delhi
through Chief Secretary,
5, Sham Nath Marg,
Delhi-110 054.
2. The Secretary, Law, Justice &
Legislative Affairs,
Govt. of NCT of Delhi,
5 Sham Nath Marg,
Delhi-110 054.
3. The Secretary,
General Administration Department,
Govt. of NCT of Delhi,
5 Sham Nath Marg,
Delhi-110 054.

Review Petitioners

(By Advocate: Mrs. Avnish Ahlawat)

-Versus-

Surinder Singh,
S/o Shri Gajraj Singh,
Working as Driver in the Deptt. of Law,
Justice and Legislative Affairs,
Govt. of N.C.T. of Delhi and
R/o 67/ 838, DIZ Area,
Mandir Marg,
New Delhi-110 001.

Review Respondent

O R D E R (By Circulation)

Hon'ble Shri R.K. Ahooja, Member (A)

The applicant who was working as Driver in the Department of Law, Justice and Legislative Affairs, Govt. of N.C.T. of Delhi had filed the O.A. to obtain a direction to the respondents to consider and regularise his services against an existing vacancy of driver. By order dated 30.10.1998, a direction was given to the respondents to consider his case for regularisation in relaxation of the recruitment rules on the same basis as

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in the cases of Radhey Shyam and Abdul Rahim who were also initially appointed as daily rated Motor Vehicle Drivers.

2. The respondents/petitioners seek a review of the above order on the ground that the newly created post in the Department of Law, Justice and Legislative Affairs has been transferred to the General Administration Department where the vacant posts are filled up in accordance with rules and that the General Administration Department have already posted a person on a regular basis on the vacant post of Driver in the Law Department w.e.f. 14.8.1997 after the services of the applicant had been terminated. It is submitted that though these facts were brought to the notice of the Tribunal, there is an error patent on the face of the record as the same missed the attention of the Tribunal while issuing the impugned direction.

3. I have considered the matter carefully. The direction was only that the case of the applicant should be considered on the same footing as the cases of S/Shri Kuldip Singh, Radhey Shyam and Abdul Rahim. The petitioners herein are not required to give any relaxation to the applicant which had not given in the cases of the three aforesaid persons. Further, in respect of transferring the post to General Administration Department Secretary, General Administration Department is also Respondent No. 3 and he is required to carry out the direction even if the

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