

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A. NO. 23/1998

in

✓ O.A. NO. 1549/1994

M.A. NO. 1152/1998

M.A. NO. 2477/1998

M.A. NO. 1132/1999

New Delhi this the 10th day of August, 1998.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI N. SAHU, MEMBER (A)

A. K. Srivastava & Ors.

... Applicants

(By Shri Rupesh Kumar, Advocate)

-Versus-

Union of India & Ors.

... Respondents

(By Shri K. R. Sachdeva, Advocate)

O R D E R (ORAL)

Shri Justice K. M. Agarwal :

This is a review application for correction of certain errors apparent on the face of record of O.A. No. 1549/94, A. K. Srivastava & Ors. v. Union of India decided on 5.12.1997 by a Division Bench consisting of Dr. Jose P. Verghese, the then Vice Chairman (J) and one of us, i.e., N. Sahu, Member (A).

2. It has been stated in the review application that an error has crept in the third paragraph of the aforesaid judgment which is also reflected in the directions finally given by the Bench. It is pointed out that the seniority list of Upper Division Clerks issued on 21.8.1982 was in order and was not the subject matter of challenge in the said O.A. In fact, the subsequent seniority list dated 19.12.1984 was challenged on the ground that it was not in accordance

with the regulations. These facts are not disputed by the respondents in their counter. The learned counsel for the respondents, therefore, did not oppose the review application.

3. Accordingly paragraph 3 of the judgment dated 5.12.1997 in O.A. 1549/94 requires correction by mentioning, "which was subsequently replaced by the impugned seniority list dated 19.12.1984" after the existing words and figures. "Departments' exam" for filling up of the remaining posts was also held in 1980 itself and the seniority list was prepared on 21.8.1982." and before the words, "It was submitted on behalf of petitioner the said seniority list was not in accordance with the regulation 2." As a necessary consequence, the operative part of the order in O.A. 1549/94 dated 5.12.1997 also requires correction by substituting the date "19.12.1984" in place of the existing date "21.8.1982" in the first line of sub-paragraph (2) of the operative part of the said order.

4. In the result, this review application succeeds and it is hereby allowed. Necessary corrections as mentioned in paragraph 3 of this order be made in the final order dated 5.12.1997 in O.A. 1549/94. No costs.

5. There is also an application by the respondents registered as M.A. 1132/99 for extension of time for compliance with the directions made by the ~~Supreme~~ Tribunal in the aforesaid O.A. No. 1549/94. In view

of the corrections made in the said order by allowing the present review application, the period of three months given to the respondents for compliance with the directions in the final order made in the O.A. automatically stands extended by a period of three months from today. The respondents may, therefore, comply with the directions as amended by the review application within a period of three months from today. Accordingly the said M.A. No.1132/99 has become infructuous.

K. M. Agarwal

(K. M. Agarwal)
Chairman

N. Sahu

(N. Sahu)
Member (A)

/as/