

(UR)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 185/1998
in
O.A. NO. 1228/1995

New Delhi this the 9th day of July, 1998.

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

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

1. Gayatri Devi W/O M. P. Sharma,
R/O 7/2, Darya Ganj,
New Delhi-110002.
2. Hemlata Negi W/O Shri Negi,
R/O A-13, Times of India Apartments,
Mayur Vihar Phase-II,
New Delhi.
3. Chandroop Gahlot S/O Chatter Singh,
R/O 226 Village Nawada,
P.O. Uttam Nagar,
New Delhi-110059.
4. Kanwar Singh S/O Maya Ram Singh,
R/O Staff Quarters OHBI, Delhi Gate,
New Delhi-110002.
5. Miss Krishna Kumari D/O Gopi Chand,
R/O Gandhi Mohalla, Chhota Bazar,
Shahdara, Delhi-110032.
6. Smt. Rajesh Sharma W/O C. P. Sharma,
J.B.T. Children's Home for Boys,
Kasturba Niketan, Lajpat Nagar,
New Delhi.
7. Smt. Trilochan Bindra W/O Pritpal Singh,
Bal Niketan Nirmal Chhaya Complex,
Jail Road, New Delhi.
8. Kamla Puri W/O Satpal Puri,
R/O 13/5, Punjabi Bagh,
New Delhi.
9. Smt. Krishna Mal W/O Sushil Mal,
R/O AC-128 Shalimar Bagh,
New Delhi.
10. Shakuntala Solanki W/O Inder Singh Solanki,
R/O RZ-455, SBI Building,
Main Road, Raj Nagar,
Palam Colony, New Delhi.
11. Ram Pyari Kapoor W/O R. P. Kapoor,
R/O A-3/217, Janak Puri,
New Delhi.
12. Salisaba Toppo W/O Nestor Toppo,
R/O G-5, Moti Bagh-I,
New Delhi.

Jan



13. Smt. Gian Narula W/O K. K. Narula,
R/O 1184 Gulabi Bagh,
New Delhi.
14. Ignatia Ming W/O Pascal Ming,
R/O Qr. No. 1075, Sector-V,
New Delhi.
15. Vedi Ram S/O Chander Singh,
R/O 1/331, Trilok Puri,
New Delhi.
16. Smt. Rajesh Rani W/O Ashok Kumar,
R/O Qr. No. B.D./14-H DDA Flats,
Munirka, New Delhi.
17. Smt. Phoolpati W/O Dhara Singh,
R/O Shri Hukam Singh Pahalwan,
Vill. & P.O. Bawana,
Delhi-110039.
18. Uma Chaudhary W/O R. P. Singh,
R/O A-83, Jhilmil Colony,
Delhi.
19. Smt. N. Z. Rizvi W/O J. A. Rizvi,
R/O 3-D, Block-7,
Mandir Marg, Gole Market,
Delhi.
20. Kaushalya Aneja W/O Ashok Aneja,
R/O House No. 245, Karkardooma
Delhi Administration Flats,
Delhi-110092.
21. Sushila Sharma W/O Nand Kishore Sharma,
R/O House No.23, Hari Nagar,
Ashram, Mathura Road,
Delhi.
22. Savitri Rasanias W/O H. S. Rasanias,
R/O J-172, Patel Nagar-I,
Ghaziabad (UP).
23. Shanti Sharma W/O Kewal Krishan,
R/O 2642, Basti Punjabiyan,
Subzi Mandi, Delhi-110007.
24. Devi Bai W/O Shiv Dayal,
R/O House No. 12-B, Pocket-A,
DDA Flats, Hari Nagar Depot,
New Delhi-110064.
25. Sumitra Kumari D/O K. C. Chowdhry,
R/O House No. 271, Pocket-I,
Janta Quarters,
New Delhi.
26. Sumitra Devi W/O Jeewit Rai,
R/O Z-833, Rishi Rani Bagh,
Delhi-110034.

Jan

49

- 3 -

27. Pushpa Rani W/O Mahinder Kumar,
R/O H-3/76, Vikas Puri,
New Delhi-110018.

28. Sachida Nand S/O Radha Kishan,
R/O C/o Shri H. P. Sharma,
Gali No.1, Swatantra Nagar,
Near Ram Mandir,
Delhi-110040.

... Applicants

(By Shri S. K. Gupta, Advocate)

- Versus -

1. Shri P. V. Jaikrishnan,
Chief Secretary,
Govt. of NCT of Delhi,
5, Ali Pur Road, Delhi.

2. Shri S. Malaichamy,
Secretary Social Welfare,
5, Shamnath Marg, Delhi.

3. Smt. Geeta Segal,
Director, Social Welfare,
Canning Lane, K.G.Marg,
New Delhi-110001.

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal,

Heard the learned counsel for applicants on admission.

2. Initially certain directions were made in OA No. 1228/95 decided on 7.10.1996. Application for contempt filed and registered as CP No. 95/97 was disposed of on 28.4.1997 by giving liberty to the applicants to file review application and discharging the notices by observing that orders passed and as existing then, were fully complied with. It appears after the order passed in CP No. 95/97 the applicants moved review applications registered as RA Nos.

km

5

147/97 and 132/97 which were decided on 2.1.1998. The Bench came to the conclusion that the earlier judgment dated 7.10.1996 in OA No. 1228/95 required review and accordingly modified the said judgment by directing deletion of the words "with effect from the date of this order" occurring in paragraph 19 (i) of the earlier order dated 7.10.1996. What would be the effect of the review order can be gathered from paragraphs 5 and 7 of the order in review dated 2.1.1998. To reproduce paragraph 7 :

"7. When we pronounced the impugned judgment dated 7.10.96 it was not brought to our notice that some of the applicants in J. R. Gupta's case (supra) were junior to the present applicants and the consequences of the direction to respondents to extend the benefit of the judgment in J.R. Gupta's case (supra) to the present applicants from the date of issue of the order (7.10.96) would result in the aforesaid anomalies."

3. It would thus appear that fixation of seniority and thereafter giving the benefit of J. R. Gupta's case as referred to in the review order, may take some time. No time is fixed in the review order for compliance with the modified order in OA No. 1228/95, pursuant to the order made in the review application. In such cases normal period of time is six months from the date of receipt of a copy of the order. The order in review was served on the respondents on 28.1.1998. Under these circumstances,

Bm

5

we are of the view that this CP is premature. Accordingly, reserving right of the applicants to approach the Tribunal, again the present CP is dismissed as premature.

Km

(K. M. Agarwal)
Chairman

N. Sahu

(N. Sahu)
Member (A)

/as/