

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

RA 242/97 in OA 1840/96

(3)

New Delhi this the 17th day of October, 1997

Hon'ble Smt. Lakshmi Swaminathan, Member (J)
Hon'ble Shri R.K. Ahooja, Member (A)

1. Nand Kishore,
B-14, Central Jail, N/Delhi

2. Shri Ved Singh

..Applicants

VS

Govt. of NCT of Delhi & Ors

..Respondents

O R D E R (By Circulation)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

Review Application 242/97 has been filed only by ^{by} one applicant, Shri Nand Kishore in OA 1840/96 stating that he was not continued in service as Home Guards and, therefore, his case ought not to have been clubbed with other OA 992/95 together with connected cases which were disposed of by a common order dated 30.1.1997. This Review Application has been filed on 7.8.97 and he has stated that copy of the impugned judgment has been received by him only on 6.6.97 but as his counsel Dr. J.C. Madan was out of station from 10th May to 12th July, 1997, the period of delay may be condoned.

2. We have perused the records and find that although the applicants in the Original Application were also claiming certain reliefs as Home Guards, in fact their case was based on slightly different facts from the other O.As which have been disposed of by ^{the} common order dated 30.1.1997. No doubt, it was the ^{the} duty of

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the applicant's counsel to have brought this fact to the notice of the Bench when the case was taken up for hearing on 30.1.1997. However, since this can be termed as a factual error in the record, we are of the view that there is sufficient reason to allow this Review Application and we order accordingly. In the circumstances of the case, prayer for condonation of delay is also allowed.

3. List OA 1840/96 (Sh. Nand Kishore Vs. Govt. of NCT of Delhi) for re-hearing on 19.11.1997.

4. Let a copy of this order be issued to the learned counsel for the respondents.

RKA
(R. K. Ahuja)

Member(A)

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member(J)

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