

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI.

RA 103/98
RA 88/98
MA 1158/98
DA 1912/96

New Delhi this the 15th day of September, 1998

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

Union of India through the
Chairman, Staff Selection Commission,
Block No. 12, CGO Complex, New Delhi-3

... Applicants

(By Advocate Shri V.S.R. Krishna)

Vs.

Shri Lalit Kumar and 14 Others

(None for the Respondents)

... Respondents

RA 88/1998

Union of India through Secretary to
the Govt. of India, Ministry of Finance,
Department of Revenue and Ors., New Delhi

... Applicants

Vs.

Shri Lalit Kumar, and Others

(None for the Respondents)

... Respondents

ORDER (ORAL)

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

Notices had been ordered to be issued in RA 88/1998 and RA 103/98 to the original applicants in DA 1912/96 by the Tribunal's orders dated 13.5.98 and 4.6.98, respectively.

2. In RA 88/1998, we note that some of the notices sent to the applicants have since been returned by the postal authorities with the remarks " left without address."

3. In RA 103/98, we note that notices to two applicants have also been returned with the remarks as mentioned above by the postal authorities. We also note that acknowledgement receipts of notices have been received from some of the other applicants.

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4. In the above circumstances it is presumed that notices have been duly served on the applicants, though none has appeared on their behalf, even though the RAs have been called out twice.

5. We have heard Shri V.S.R. Krishna, learned counsel for the Review Applicants in Review Application 103/98 and Shri R.R. Bharti, Learned counsel for the Review Applicants in Review Application 88/98. In the circumstances, for the reasons given in the respective ^{and RA 103/98} ~~MAs~~ ^{the delay} ~~for~~ filing RA 103/98 and RA 88/98 are condoned.

6. One of the main grounds urged by Shri Krishna, learned counsel and Shri R.R. Bharti, learned counsel for the review applicants is that they are facing certain difficulties in implementing the impugned judgment/order of the Tribunal dated 14.8.97. They have repeatedly stated that they have problems for absorbing 154 candidates which have been referred to in the order, whereas it is seen that the OA had been filed only by 15 applicants before the Tribunal in which impugned order dated 14.8.97 was passed. In Para 6 of the impugned order it has also been stated that "the applicants shall be absorbed against the vacancies available for the year 1995 both in Maharashtra as well as in Gujarat zones."

7. The above extract from the impugned order clearly shows that reference has been made only to the applicants before the Tribunal and does not appear to cover the entire lot of candidates i.e. 154 candidates who were declared successful in the examination of Inspector of Central Excise/Income Tax, 1993. We have also considered other grounds taken by the Review applicants in the RAs and we do not find that these grounds fall within the provisions of Order 47 Rule 1 CPC under which alone the RAs are permissible.

8. In the above facts and circumstances of the case RA 103/98 and RA 88/98 are rejected. *Let a copy of this order be placed in the other file also.*

K. Mathukumar
(K. Mathukumar)
Member (A)

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