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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

1) R.A.No.147/97

in

O.A.No.1228/95

New Delhi: this the 2nd JANUARY, 1998.

1. Mrs. Gayatri Devi,
W/o Shri M.P.Sharma,
Basic Teacher in OHBI,
Delhi Gate Resident,
7/2, Darya Ganj,
New Delhi -110 002

AND

27 others(as per memo of parties) ...Review Applicants
(By Advocate: Shri S.K.Gupta)

Versus

1. Govt. of NCT of Delhi.
through its Chief Secretary,
5, Alipore Road,
Delhi- 110054.
2. Directorate of Social Welfare,
through its Director,
Old ITI Building, Canning Lane,
Kasturba Gandhi Marg,
New Delhi- 110 001 .
3. The Secretary,
Ministry of Social Welfare,
NCT of Delhi,
Block-C, 1st Floor,
5, Alipore Road,
Delhi- 110 0 54.
4. Lt. Governor of Delhi,
Raj Niwas,
Civil Lines,
Delhi - 110 007

..... Respondents.

(By Advocate: Shri Arun Bhardwaj)

2) R.A.No.132/97

in

O A No.239 of 1996

1. Mrs. Jay Rashini Thakur,
W/o Shri Kabul Singh,
PTI Hari Niketan Batika Garh-I,
Hari Nagar,
New Delhi

And

8 others (as per memo of parties)

.....Review Applicants.

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Versus

1. Govt. of NCT of Delhi ,
through its
Chief Secretary,
5, Alipur Road,
Delhi- 054.
2. Directorate of Social Welfare through
its Director, Old ITI Building,
Canning Lane,
Kasturba Gandhi Marg,
New Delhi - 001.
3. The Secretary,
Ministry of Social Welfare,
NCT of Delhi,
Block-C, 1st floor,
5, Alipur Road,
Delhi- 054.
- 4- Lt. Governor of Delhi,
Raj Niwas,
Civil Lines,
Delhi -007

.... Respondents.

(By Advocate: Shri S.K.Gupta for review applicants
Shri Vijay Pandita for respondents).

HON'BLE MR.S.R.ADIGE, VICE CHAIRMAN(A)

HON'BLE DR.A.VEDAVALLI, MEMBER(J)

JUDGMENT

HON'BLE MR.S.R.ADIGE, VICE CHAIRMAN (A):

As these two RAs are pressed on similar grounds of law and fact, they are being disposed of by this common order.

2. Review applicants seek review of judgment dated 7.10.96 disposing of OAs No.1228/95 and OA.239/96.
3. An MA for condonation of delay has been filed in each of the RAs. In view of the circumstances set forth in MAs , delay is condoned.
4. We have heard Shri S.K.Gupta for the applicants

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in the two OAs and Shri Arun Bhardwaj for the respondents in RA No.147/97 and Shri Vijay Pandita for respondents in RA -132/97.

5. Review applicants contend that the directions given in the impugned judgment dated 7.10.96 to respondents to extend the benefits of the judgment dated 10.6.94 in OA No.1083/88 J.R. Gupta & Ors. Vs. UOI & Ors. and the clarification dated 5.12.94 in MA No.2176/94 arising out of that OA to the applicants in OAs No.1225/95 and OA.239/96 with effect from the date of that order (7.10.96) have led to various anomalies in as much inter alia as persons junior to the present applicants who were applicants in J.R.Gupta's case (Supra) are drawing more pay than the present applicants.

6. This has not been denied by review respondents in their reply.

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 consequence 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.

8. In Surjit Singh & Ors. Vs. UOI & Ors. J.T. 1997(6) SC 32 the Hon'ble Supreme Court has held that where a patent mistake is brought to notice it (the Tribunal) is bound to correct it by review. Under the circumstance we are satisfied that the impugned judgment dated 7.10.96 requires review and modify the said judgment to delete the words "with effect from the date of this order"

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occurring in paragraph 19(1) of the said judgment.

9. Registry to carry out the necessary modifications accordingly.

10. Copy of this order to be placed in both RAs' records.

A. Vedavalli
(DR.A. VEDAVALLI)
MEMBER(J)

S. R. Adige
(S.R. ADIGE)
VICE CHAIRMAN(A).

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