

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

R.A. No. 232/99

IN

OA No. 1233/95

New Delhi: this the 24<sup>th</sup> day of April, 2000.

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

HON'BLE MR. KULDIP SINGH, MEMBER (J)

Ex. Constable Ashok Singh, No. 1794/DAP,

S/o Sh. Gopal Singh,

R/o Govardhan Gate, Kumher,

P.O. & Teh. Kumher,

Distt. Bharatpur, Rajasthan

Applicant.

(By Advocate: Shri S. S. Tewari).

Versus

1. Govt. of NCT of Delhi,  
through Commissioner of Police,  
Police Headquarters,

I.P. Estate,  
New Delhi.

2. Addl. Commissioner of Police,  
AP. & T, Police Headquarters,  
I.P. Estate,  
New Delhi.

3. Dy. Commissioner of Police,  
2nd Bn., DAP, Kingsway Camp,  
Delhi. Respondents.

(By Advocate: Shri Harvir Singh )

ORDER

HON. MR. S. R. ADIGE VC (A)

Heard both sides on RA No. 232/99 filed by  
Ex. Constable Ashok Singh seeking review of the common  
order dated 18.8.99 dismissing OA No. 1233/95 filed  
by him along with 3 other OAs.

2. There is merit in Review applicants' contention that when in his OA No. 1233/95 he did not rely upon the Hon'ble Supreme Court's judgment in State of Punjab Vs. Bakshish Singh JT 1998 (7) SC 142,

the OA could not have been dismissed on the ground of unapplicability of that judgment to the facts and circumstances of the OA. Furthermore none of the grounds advanced by applicant in his OA-1233/95 were discussed in the aforesaid order dated 18.8.99.

3. Under the circumstance we are satisfied that this RA comes within the scope and ambit of section 22 (3)(f) A.T. Act read with Order 47 Rule 1 CPC.

4. As nothing has been shown to us to establish that the aforesaid order dated 18.8.99 has separately been challenged in a higher court of law, we allow RA No. 232/99. The order dated 18.8.99 in so far as it relates to OA-1233/95 is recalled and the OA is ordered to be listed for hearing afresh before the appropriate Bench on 26.5.2000.

*Kuldeep*  
( KULDIP SINGH )

MEMBER (J)

*Arfalg*  
( S.R. ADIGE )  
VICE CHAIRMAN (A)

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