

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH.

(13)

R.A.No.57 of 1996.

IN

O.A.No.1030 of 1995.

New Delhi, dated the 26th April, 1996.

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

HON'BLE DR.A.VEDA VALLI, MEMBER (J).

1. Union of India through
the Secretary,
Ministry of Home Affairs,
North Block,
New Delhi- 110001.

2. The Director General,
Intelligence Bureau,
(Ministry of Home Affairs)
North Block,
New Delhi.

3. The Asstt. Director,
Intelligence Bureau,
East Block, R.K.Puram,
New Delhi - 110066.Review Applicants

(By Advocate: Shri B.Lall)

VERSUS

Shri S.S.Tokas,
S/o Shri Ami Chand,
Working as SG Driver,
Intelligence Bureau,
Ministry of Home Affairs,
Delhi.

.....Respondent

(By Advocate: Shri K.L.Bhandula).

ORDER (GRAL)

By Hon'ble Mr.S.R.Adige, Member (A).

We have heard Shri B. Lall for the review applicants (UOI) and Shri K.L.Bhandula for the Review Respondent (Shri S.S.Tokas) in R.A.No.57/96 for recalling the Tribunal's judgment dated 29.1.96 in OA No.1030/95, whereby the UOI had been directed to declare the results of interview/test held for the

A

post of JIO(MT) (Driver) in the Office of Intelligence Bureau, MAH, New Delhi as expeditiously as possible and not later than 4 weeks from 29.1.96 (the date of the judgment).

2. In that OA, Shri S.S.Tokas had sought regularisation of his service as JIO(M.T) (Driver) in the office Intelligence Bureau, MAH, New Delhi on the ground that he worked as Casual Labourer continuously without break for about 3½ years, and fulfilled all the necessary qualifications and experience and had an excellent record of service. Alternatively it had been prayed that he be given age relaxation for appearing in the interview and be considered for appointment.

3. During hearing we were given to understand that the applicant was interviewed on 19.6.95 after being given age relaxation, but his results were awaited, although according to the applicant's counsel the results of as many as 105 other persons had been declared including some who had put in a lesser length of service than the applicant. We had disposed of the OA with the direction to the respondents to declare the results as expeditiously as possible and not later than 4 weeks from the date of judgment i.e. 29.1.96, leaving it open to agitate any surviving grievance through appropriate original proceedings, if so advised.

4. In the RA, it has been stated that the applicant was not actually given age relaxation

A

15

and his appearing in the test/interview was made subject to his being granted age relaxation by the competent authority.

5. Shri Bhandula, however, states that as the applicant had been continuously working for 3½ years on casual basis, he was entitled for age relaxation.

6. As Shri Bhandula does not deny that the applicant's appearance in the test/interview was made subject to his being granted age relaxation by the competent authority, we are satisfied that there is an error apparent on the face of the record in the judgment dated 29.1.96 in O.A.1030/95 within the meaning of Section 22(3)(f)AT Act read with Order 47 Rule 1 C.R.C and accordingly the prayer in R.A.No.57/96 is allowed to the extent that the words "after being given age relaxation" wherever accorded in the said judgment, will be substituted by the words "subject to granting of age relaxation by the competent authority".

A. Vedavalli
(DR.A. VEDA VALLI)
MEMBER (J)

S. R. Adige
(S.R. ADIGE)
MEMBER (J).

/ug/