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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

R.A.NO.195/2001
M.A.NO.951/2001
IN
O.A.NO.987/2000

Friday, this the 7th day of September, 2001

Hon'ble Mr. V.K. Majotra, Member (A)
Hon'ble Mr. Shanker Raju, Member (J)

Govt. of NCT of Delhi & Anr. Vs. Jagmender & Ors.

O R D E R (ORAL)

By Hon'ble Shri V. K. Majotra, M (A):-

This application seeks review of the order dated 9.1.2001 passed in OA-987/2000. The review applicants have also filed an MA-951/2001 seeking condonation of delay in filing the Review Application. We have heard the learned counsel of both sides on the application for condonation of delay as well as the Review Application. MA-951/2001 is based on the contention that the review applicants, who were respondents in OA, were not in a position to produce the notification of February, 1978 (Annexure RA-6) despite making efforts and now that the same has been procured by them from the Archeological Department, they have sought the review because in the impugned order of the Tribunal, a finding was given that as the respondents had failed to show any proof for change in the rules relating to the eligibility conditions for recruitment to the post of Patwari, changing the eligibility conditions by advertisement dated 6.8.1998 was not upheld. In the Review Application, the notification dated 20.3.1978 whereby the Rule 3 of Delhi Land Revenue Rules, 1962 was deleted and Rule 4 relating to appointment and qualifications was substituted among other amendments has now been produced.

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2. In view of the amendment in the rules being very old and the unsystematic way in which the Govt. Department maintain the record, we realise the difficulty of the respondents in producing the amendment in the Rules at the relevant time when the case was taken up for adjudication. In this background, we allow the Review Application. The OA is restored to its original number and be fixed for re-hearing on 28.9.2001.

3. The original interim order that pending further orders, appointments if made in pursuance to the selection, will be subject to further orders to be passed in the restored OA.

S. Raju

(Shanker Raju)
Member (J)

V.K. Majotra

(V.K. Majotra)
Member (A)

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