

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

RA 225/2002
in
MA 2104/2002
OA 1453/2000

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New Delhi this the 5th day of February, 2003

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri V.K. Majotra, Member (A)

Union of India and Others

...Applicants/
Respondents

(By Advocate Sh. K.C.D. Gangwani)

VERSUS

A.A. Farooqui and Ors.

...Respondents/
Original applicants

(None for the respondents)

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J))

Heard Shri K.C.D. Gangwani, learned senior counsel for the applicants (Original respondents) in RA 225/2002. They have also filed MA 2104/2002 praying for condonation of delay.

2. The aforesaid Review Application (RA) has been filed by the respondents with respect to certain directions contained in Tribunal's order dated 6.2.2002 in OA 1453/2000. In the RA, they have submitted that they had examined the directions contained in the order to count their seniority in Junior Administrative Grade (JAG) of the service of the applicants w.e.f 14.8.1998 on the ground that "all the applicants" were holding the said grade on ad-hoc basis on that date. However, they have pointed out that the applicants appearing at serial numbers 20-24 of the Memo. of parties in OA 1453/2000 were not appointed on

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ad-hoc basis in the JAG of NCT of Delhi, Andaman & Nicobar Islands, Lakshadweep, Daman & Diu and Dadra & Nagar Haveli Police Service (DANIPS) prior to their regular appointment to the said grade on 25.4.2000. They have further informed that these five applicants had not held any ad hoc appointment in the JAG of DANIPS from any date prior to 25.4.2000, more particularly on 14.8.1998 which was the date of ad hoc appointment of the other applicants. Learned counsel has further clarified that with regard to the other applicants, necessary orders in implementation of Tribunal's order have been issued on 9.6.2002 but they are unable to do so in the case of applicants whose names are appearing at serial numbers 20-24 of the Memo. of parties.

3. In spite of notice having been issued to the respondents (original applicants in OA) none has appeared even on the second call. We have carefully perused the records and considered the submissions made by the learned counsel for the respondents.

4. In view of the above facts and circumstances of the case, we agree with the contentions of the learned counsel that there is an error apparent on the face of the record where reference has been made with ~~regard~~^{to} in respect of all the applicants i.e., applicants 1-24, in which it is seen that with regard to serial numbers 20-24, they were not holding any ad hoc appointments in the JAG of DANIPS prior to their regular appointment on 25.4.2000. To this extent, the RA merits consideration.

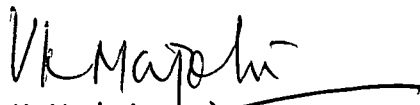
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5. In the above circumstances and in the interest of justice, MA filed by the applicants praying for condonation of delay is allowed.

6. Accordingly, RA 225/2002 is allowed to the extent that Tribunal's order dated 6.2.2002 in OA 1453/2000 shall relate to applicants 1-19 only and not to applicants appearing at serial numbers 20-24 with regard to counting of their adhoc services prior to their regular appointment on 25.4.2000, which is applicable to them.

7. Let a copy of this order be issued to learned counsel for both the parties.


(V.K. Majotra)
Member (A)


(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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