

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

R.A. NO.27/2003
in
O.A. NO.713/2000

This the 29th day of January, 2003

HON^{BLE} SHRI V.K.MAJOTRA, MEMBER (A)

Kesho Ram & Ors. ... Applicants

-versus-

Union of India & Ors. ... Respondents

O R D E R (By Circulation)

O.A. No.713/2000 was dismissed vide order of 23.3.2001 in terms of provisions contained in Rule 15 of the Central Administrative Tribunal (Procedure) Rules, 1987 when none had appeared on behalf of applicants at the time of hearing. The learned counsel of respondents had stated that applicants had not moved any P.T. in terms of Section 25 of the Administrative Tribunals Act, 1985 which is a pre-requisite for dealing with the matter by a Bench other than that having jurisdiction. The OA was dismissed for want of jurisdiction.

2. MA No.1918/2001 was moved on behalf of applicants for recalling the order dated 23.3.2001 in OA No.713/2000 pointing out that P.T. was still pending disposal. Vide order dated 4.9.2001 it was directed that the MA be treated as RA with the issue regarding limitation remaining open, as applicants had moved an MA for condonation of delay as well.

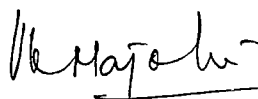
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3. It is observed that the OA had been disposed of when none had appeared on behalf of applicants and taking into consideration the impression that no application under Section 25 had been moved by applicants. Registry has now come up stating that PT had been pending and inadvertently could not be brought for consideration before the Hon'ble Chairman at the appropriate time. In this backdrop, the OA was dismissed on the ground that this Bench had no jurisdiction over the matter.

4. In the facts and circumstances of the case, particularly when an impression was created that no PT had been moved, while a PT was pending consideration, it would be in the interest of justice if order dated 23.3.2001 in OA No.713/2000 is recalled. Ordered accordingly.

5. PT be now placed before the Hon'ble Chairman for consideration. The OA and the application for condonation of delay will be considered by this Bench only if PT is allowed by the Hon'ble Chairman.


(V. K. Majotra)
Member (A)

/as/