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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

R.A. No. 236/93

New Delhi this 28th Day of November 1994.
Hon'ble Mr. J.P. Sharma, Member(J)
Hon'ble Mr. S.R. Adige, Member(A)

Harish Chander Bhatia & Ors

Versus

Union of India & Ors.

AND

1. M.R. Gothwal
presently posted as ACP/PCR
son of Shri Shankar Ram
R/o B-4 Type-IV
New Police Line
Kingsway Camp
New Delhi-110 009.

2. R.K. Pandey
presently posted as ACP/HQ/North East Delhi
S/o Shri R.N. Pandey
r/o B-440 Meera Bagh
New Delhi-110 041.Review Petitioners
(By Shri Vikas Singh, Advocate)
Versus with Sh. Yunus Malik

Union of India & Ors.

.... Respondents

(By Shri G.D. Gupta, advocate)

JUDGEMENT(Oral)

Hon'ble Mr. J.P. Sharma, Member(J)

The original application No. 300/89 was decided by the judgement delivered on 31.3.1992. That OA was filed by Shri Harish Chander Bhatia & Others as applicants and UOI & Others as respondents. The Review Petitioners, in respect of their seniority, were necessary party to the application, but were not impleaded by the applicants in OA No. 300/89. The Review Petitioners, aggrieved by the aforesaid judgement on 31.3.92, filed this review application which was entertained and listed for hearing. Interim order was also granted to respondents to

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recast seniority as per the orders of the Tribunal but no direction was given for promotion till the next date of hearing of the RA.

2. After the RA was filed, UOI had also preferred a civil SLP in the Hon'ble Supreme Court which was admitted and has already been heard.

3. Shri G.D.Gupta, appearing for the respondent original applicants, i.e. the opposite party in the Review Application mentioned in the morning that the Hon'ble Supreme Court has already heard the appeal filed by the UOI against the judgement under review and order has been reserved. Proxy counsel stated that the Review Applicant has not been given any hearing before the Hon'ble Supreme Court. In the alternative, he also stated that Shri Vikas Singh was not available today, and the matter be deferred for a week.

4. We have considered the matter. This RA has been pending for 2 years. When an appeal has already been heard against a judgement before Hon'ble Supreme Court, the RA becomes meaningless as the judgement would either be upheld or suitable direction will be given. In view of this, this RA is disposed of subject to decision of the Hon'ble Supreme Court in the SLP filed by UOI.

Arvohje,
(S.R.ADIGE)
MEMBER(A)

Sharma
(J.P.SHARMA)
MEMBER(J)