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Central Administrative Tribunal
Principal Bench, New Delhi.

1. RA-75/93 in MP-840/93 OA-1340/88	3. RA-89/93 in MP-845/93 OA-2279/89
2. RA-87/93 in MP-844/93 OA-2224/90.	4. RA-101/93 in MP-944/92 OA-1207/90

New Delhi this the 31st Day of January, 1994.

Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman(J)

Hon'ble Mr. B.N. Dhoundiyal, Member(A)

RA-75/93 in
MP-840/93
OA-1340/88

Smt. Nirmal Rai,
W/o Sh. Mahesh Rai,
R/o B-IV-147, Dayanand Colony,
Lajpat Nagar,
New Delhi.

Applicant

(through Sh. J.P. Verghese, Advocate)

versus

1. Chief Secretary,
Delhi Administration,
5, Alipur Road,
Delhi.

2. Dr. V.P. Varshney,
Member Secretary,
Managing Committee,
S.D. Ayurvedic College,
Malika Ganj Chowk,
Malika Ganj,
New Delhi.

Respondents

(through Mrs. Avnish Ahlawat, Advocate)

RA-87/93 in
MP-844/93
OA-2224/90

Sh. Jagram Singh,
S/o Sh. Tirkha Ram,
R/o K. 1516 Jahangirpuri,
Delhi-33.

Applicant

(through Sh. J.P. Verghese, Advocate)

versus

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1. The Delhi Administration
through its Chief Secretary,
Alipur Road,
Delhi.

2. The Member Secretary,
Managing Committee,
Dr. V.P. Varshney,
Delhi Administration,
Saraswati Bhavan,
'E' Block, Connaught Place,
New Delhi-1.

3. Sh. Y.P. Narang,

(to be served through Respondents No. 2) Respondents
(through Mr. Avnish Ahluwati, Advocate)

RA-89/93 in
MP-845/93
OA-2279/89

Sh. Jai Bir Singh,
S/o Sh. Tajram,
R/o Purana Silempur,
H.No.9/5160/B,
Delhi.

Applicant

(through Sh. J.P. Verghese, Advocate)

versus

1. The Delhi Administration,
through its Chief Secretary,
Alipur Road,
Delhi.

2. The Member Secretary,
Managing Committee,
Dr. V.P. Varshney,
Saraswati Bhavan, Block-E,
11th Floor, Connaught Place,
New Delhi.

(through Mrs. Avnish Ahluwati, Advocate)

Respondents

RA-101/93 in
MP-944/92
OA-1207/90

Sh. Birinder Kishor Pathak,
S/o Sh. Baburam Pathak,
R/o 1-East Guru Angad Nagar,
Main Parpar Road,
Delhi-92.

Applicant

(through Sh. J.P. Verghese, Advocate)

versus

1. The Delhi Administration,
through its Chief Secretary,
Alipur Road,
Secretariat,
Delhi.

2. The Member Secretary,
Managing Committee,
Dr. V.P. Varshney,
Saraswati Bhavan,
Block-E, IIIrd Floor,
Connaught Place,
New Delhi.

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Respondents

(through Mrs. Avnish Ahlawat, Advocate)

ORDER (ORAL)
delivered by Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman (J)

By a common judgement dated 25.10.1991 OAs 1340/88 & 819/91 were decided by this Tribunal. Following these judgements, OAs 2224/90, 2279/89 and 1207/90 were decided by this Tribunal on 31.7.1992. In between, O.A. No. 2462/89 (Ram Dev Sharma & Ors. Vs. Chief Secretary, Delhi Administration & Ors.) was decided on 22.4.1992. It appears that this judgement was also rendered following the judgement of this Tribunal dated 25.10.1991.

We are informed that against all the aforesaid five judgements, Chief Secretary, Delhi Administration and Others preferred S.L.Ps in the Supreme Court and the same were dismissed.

In O.A. No. 819/91, a Misc. Petition was filed purported to be under Rule 24 of the Central Administrative Tribunal (Procedure) Rules, 1987. The application was allowed by this Tribunal and certain clarifications were made in the judgement dated 25.10.1991. Feeling dissatisfied, the Delhi Administration & Ors. preferred an S.L.P. No. 13139/93 in Supreme Court which had been admitted on 30.11.93. In it, the interim order already granted had been allowed to continue. It, therefore,

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follows that the clarification made by this Tribunal in O.A.No.819/91 is sub-judice before the Supreme Court.

Prior to the filing of the four review applications in the aforesaid four OAs, the applicants filed separate MPs as in O.A.No.819/91. These MPs were dismissed on 16.2.93 by this Tribunal on the ground that Rule 24 of the aforesaid Rules ^{did} not attract the facts of the case and the remedy, if any, of the applicants was to prefer review applications. That is how these review applications are before us.

It appears that in the case of Ram Dev Sharma & Ors. Vs. Chief Secretary, Delhi Administration & Ors. (O.A.No.2462/89) also earlier an M.P. was filed which was dismissed on the ground that the same was not maintainable and the remedy was to file a review application. The M.P. was dismissed on 16.2.93. Thereafter, a review application was filed which too was dismissed on 13.8.1993.

We are informed at the Bar that against the decision given on 13.8.93 in the R.A. in O.A.No.2462/89, an S.L.P. has been preferred in the Supreme Court which is pending.

We have considered the matter. After hearing the learned counsel for the parties, we are of the view that no useful purpose will be served by keeping these review applications on the files of this Tribunal. The matter is already before the Supreme Court. The learned counsel for the parties agree that the fate of these applications would be governed by the decision of the Supreme Court in S.L.P. No.13139/93. We, accordingly, dispose of these applications with the direction that

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whatever orders are ultimately passed by the Supreme Court would govern these RAs also.

With these observations, these RAs are disposed of.

(B.N. DHOUNDIYAL)
MEMBER(A)

(S.K. DHAON)
VICE CHAIRMAN

Original order in RA 75193 OA 1340/88

Attached copy

Amritsar

31-01-94

CO. CII

CAT. P.B.

New Delhi