



**Central Administrative Tribunal
Principal Bench: New Delhi**

**R.A. No.53/2020 & R.A. No. 28/2021
In
O.A. No. 2234/2016**

This the 16th day of September, 2021

Through Video Conferencing

**Hon'ble Mr. A. K. Bishnoi, Member (A)
Hon'ble Mr. R. N. Singh, Member (J)**

RA No.53/2020

1. Delhi Transport Corporation
Through its Chairman-cum-Managing Director,
Indraprastha Depot,
New Delhi.
2. Regional Manager (West)
Peeragarhi Depot,
New Delhi.
3. Depot Manager
Naraina Depot
Naraina, New Delhi.

...Review Applicants

(By Advocate: Arti Mahajan Shedha)

Versus

Sunil Kumar (Ex. Driver in DTC)
S/o Sh. Rajender Singh,
R/o Village Naya Bass,
Police Station & Tehsil Sampla
District Rohtak, Haryana

...Review Respondent

(By Advocate: Sourabh Ahuja)



RA No.28/2021

Sunil Kumar (Ex. Driver in DTC)
 S/o Sh. Rajender Singh,
 R/o Village Naya Bass,
 Police Station & Tehsil Sampla
 District Rohtak, Haryana
 Aged about 34 years

...Review Applicant

(By Advocate: Sourabh Ahuja)

Versus

1. Delhi Transport Corporation
 Through its Chairman-cum-Managing Director,
 Indraprastha Depot,
 New Delhi.
2. Regional Manager (West)
 Peeragarhi Depot,
 New Delhi.
3. Depot Manager
 Naraina Depot
 Naraina, New Delhi.

...Review Respondents

(By Advocate: Ms. Arti Mahajan Shedha)

ORDER (ORAL)

Hon'ble Mr. R. N. Singh, Member (J) :-

It is not in dispute that the aforesaid two RAs have been filed, one on behalf of the applicant and another on behalf of the respondents in the original proceedings.



2. At the outset, the learned counsel for the respondents in the original proceedings Ms. Arti Mahajan Shedha submits that on the date of order/judgment i.e. 05.02.2020, she was in hospital and her then junior had appeared in the matter. Though the junior was not instructed, however, he made submissions before this Tribunal for disposal of the OA, in terms of order/judgment dated 13.08.2019 of Hon'ble High Court of Delhi in WP(C) No.1111/2017. She further adds that her junior counsel has exceeded the instructions. She further submits that the said junior is no more associated with her.

3. Shri Sourabh Ahuja, learned counsel for the applicant in the original proceedings submits that on the relevant date i.e. 05.02.2020, he was not present when the matter was taken up or the same was mentioned by the learned junior/proxy counsel appearing for the respondents and the said learned junior counsel misled this Tribunal to pass an order/judgment, sought to be reviewed by way of the Review Applications filed by both the parties. He supports that order/judgment of the Hon'ble High Court referred to in the order of this Tribunal, sought to be reviewed, is alien



to the facts and circumstances and issue involved in the present OA is different.

4. Though the aforesaid action of the learned junior counsel is fit to be deprecated, however, in his absence and also keeping in view he being a junior counsel who might not have understood the things properly and in the interest of justice, we restrain ourselves from passing adverse order/comments against him.

5. In the aforesaid facts and circumstances and in the interest of justice, both the aforesaid RAs are disposed of, with order to recall the order/judgment dated 05.02.2020 in the aforesaid OA. The OA is restored to its original position.

List the OA for final hearing on 08.11.2021.

(R. N. Singh)
Member (J)

rk/as

(A. K. Bishnoi)
Member (A)