

Review Application No. 1875/93

In

O.A. No. 600/93.

26.11.2001.

Hon'ble Mr. S. Dayal, Member (A)
Hon'ble Mr. Rafiq Uddin, Member (J)

Sri M.K. Sharma brief holder for Shri A.K. Gaur for the applicants. None for respondent.

This review application has been filed for recalling the order in the O.A. as it was passed at the admission stage without hearing or giving an opportunity to the respondents in the O.A. Resultantly the order has been passed, which is contrary to the facts. This application for review was filed on 24.9.93, while the order in the O.A. was passed on 16.4.93. The applicants in the review have stated that when they came to know about the order dated 16.4.93, then they managed to get the copy of the petition and prepared reply, therefore, the Review application could not be filed earlier. The delay is, therefore, condoned.

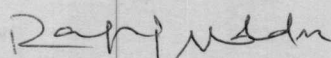
We have considered the order passed by this Tribunal in the O.A. No. 600/93. It has been mentioned in the order that no reason was given as to why the respondents have not called the applicant for being considered for regularisation for the post of MCC in the grade of Rs. 950-1500. The respondents in the O.A. were directed to hold a supplementary interview/selection for the applicant and to hold back the result of Viva voce test held on 7.4.93 till the applicant was interviewed and also for regularisation of his services. The applicants in their Review petition have mentioned that they had not actually held an interview for regularisation to the post of of MCC Gr. 950-1500 on 7.4.1993, but they had actually held an interview for regularisation on the post of MCC in the grade of Rs. 825-1200/-. Therefore, the directions given by the Tribunal could not be complied with by the respondents in the O.A. We have seen the texts of O.A. as filed by the applicant. The applicant has stated in the O.A. that he was

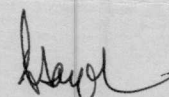
confirmed vide letter dated 24.7.91 on the post of Store Issuer/MCC in the grade of Rs. 825-1200 with retrospective effect from 8.12.1988. The applicant has annexed Annexure A-1 dated 3.12.1992 which shows that Viva-Voce test was to be held in order to regularise the adhoc promotion of MCC working in the grade of Rs. 825-1200.

In the above circumstances, we recall the order dated 16.4.1993 passed in O.A. No. 600/93.

After recalling the order, we grant four weeks time to the respondents in O.A. to file their Counter reply. R.A. therefo, if any, may be filed within two weeks thereafter.

The Review petition stands allowed as above.


MEMBER (J)


MEMBER (A)

GIRISH/-