

(Reserved on 12.03.2014)

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

ALLAHABAD this the 25th day of March, 2014

Present:

HON'BLE MR. SHASHI PRAKASH, MEMBER-A.

HON'BLE DR. MURTAZA ALI, MEMBER-J.

ORIGINAL APPLICATION NO. 161 of 2007

J.P. Arya & others

.....Applicants.

V E R S U S

Union of India and others.

..... Respondents

Present for the Applicants:

Shri A.K. Dave

Present for the Respondents:

Shri K.P. Singh

Shri A. Tripathi

ORDER

(Delivered by Hon'ble Mr. Shashi Prakash, A.M)

By the order dated 01.11.2013 passed by the Hon'ble Apex Court in Civil Appeal Nos. 9933-9934/2013, quashed the order of this Tribunal dated 17.04.2009 as well as the order of Division Bench of Hon'ble High Court dismissing the Writ (A) on the ground that it accepted the submission made on behalf of the respondents to the effect that the order passed by the Tribunal dated 17.04.2009 has been complied with and fresh orders have been passed. Accordingly the matter has been remitted to the Tribunal to take a decision in the O.A on merits in accordance with law.

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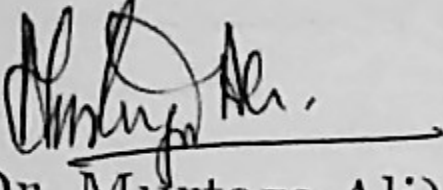
2. When the matter was taken up on 12.03.2014 Shri Shyamal Narain, Advocate appeared and argued that after remand of this case to the Tribunal, an amendment application was filed by the learned counsel for the applicant seeking certain amendments in the relief clause. After hearing both side, the Amendment Application No. 1144/2007 was allowed by this Tribunal by an order dated 28.01.2014. Since the pleadings were complete the case was listed for final hearing.

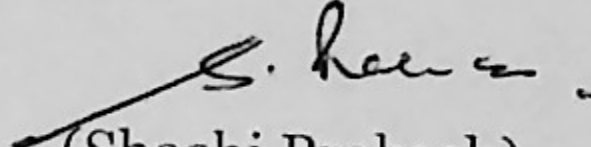
3. Shri Shyamal Narain, Advocate appeared on behalf of his clients and raised a preliminary objection on the ground that on account of amended relief clause in the O.A, his clients are likely to be effected and therefore, before proceeding in the matter they should be impleaded as respondents in the O.A and be given an opportunity to file their C.A.

4. Shri U.N. Sharma, Senior Advocate assisted by Shri A.K. Dave, learned counsel for the applicants initially argued that the amended relief clause do not in any way impinge the interest of the clients of Shri Shyamal Narain. However, after extensive arguments learned counsel for the applicants agreed to withdraw the amended relief allowed vide order dated 28.01.2014 and confine his relief to the declaration of the result of the applicant, who had appeared in the examination held against 70% quota relating to selection of A.E.N Group 'B'.

5. On the statement made by the learned counsel for the applicants we are inclined to grant an opportunity to the applicants to withdraw the amended relief allowed vide order dated 28.01.2014 and file a fresh amendment application for revision of the relief clause alongwith the Affidavit within a week from the date of receipt of certified copy of this order. A copy of Amendment Application be also served upon Shri Shyamal Narain, Advocate.

List on 04.04.2014 for orders on Amendment Application.


(Dr. Murtaza Ali)
Member-J


(Shashi Prakash)
Member-A

Anand...