

(7)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIFUR BENCH

O.A. No. 717/93.

Date of decision 20.10.94.

All India Soshit Karamchari Sangh
and another.

...Applicants.

Vs.

Union of India & others

....Respondents.

Coream: HON'BLE MR. JUSTICE D.L. MEHTA, VICE CHAIRMAN.
HON'BLE MR. N.K. VERMA, ADMINISTRATIVE MEMBER.

For the applicants - Mr. P.V. Calla, advocate.

For the respondents - Mr. Manish Bhandari and
Mr. R.N. Mathur, advocates.

ORDER (ORAL)

(Hon'ble Mr. Justice D.L. Mehta, Vice Chairman)

...

Heard the learned counsel for the parties.

Perused the record.

2. A number of points have been raised in the rejoinder and it is not desirable to consider the same at this stage which have not been raised in the O.A. The respondents had no opportunity to file the reply to the rejoinder. Apart from that, it is also necessary to determine the rights of the parties which cannot be done on the basis of the rejoinder.

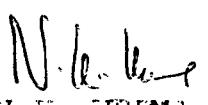
3. In the facts and circumstances, we direct the respondents to re-examine the cases of upgradation and apply the decisions of this Bench and other Benches of the Tribunal in the matter and in case of mainly upgradation, if the reservation has been applied against the rules, if any, should be rectified. The applicants will file a representation before the respondents giving the details about the mistake, if any, committed and the respondents shall determine the said representation.

(9)

within a period of three months from the date of submission of the representation. They will pass a specific speaking order on the said representation if submitted and in case the applicants feel aggrieved again or feel that the mistake has been committed in interpreting the law, they will be at liberty to approach the Tribunal afresh. OA stands disposed of accordingly.

No costs.

'MS'


(N.K. VERMA)
ADMINISTRATIVE MEMBER


(D.L. MEHTA)
VICE CHAIRMAN