

CENTRAL ADMINISTRATIVE TRIBUNAL,
JAIPUR BENCH, JAIPUR.

REVIEW APPLICATION NO. 291/00021/2014
IN
ORIGINAL APPLICATION No. 291/00562/2014

DATE OF ORDER: 2.12.2014

Mukesh Kumar Sharma & Others

... Applicants

Mr. C.B. Sharma, counsel for applicants.

Versus

1. Union of India through General Manager, Western Zone, Western Railway, Church Gate, Mumbai.
2. Railway Board through its Chairman, Rail Bhawan, Ministry of Railways, New Delhi.
3. Finance Commissioner, Railway Board, Rail Bhawan, New Delhi.
4. Financial Advisor & Chief Accounts Officer, Western Zone, Western Railway, Churchgate, Mumbai.
5. Deputy Financial Advisor & Chief Accounts Officer, Western Railway (Traffic Accounts), Ajmer.
6. Financial Advisor & Chief Accounts Officer, North Western Zone, North Western Railway, Near Jawahar Circle, Jagatpura, Jaipur.

... Respondents

ORDER
(BY CIRCULATION)

The applicants have filed the present Review Application for reviewing/modifying the order dated 15.10.2014 (Annexure RA/1) passed in OA No. 291/00562/2014 (Mukesh Kumar Sharma & Others vs. Union of India & Others).

2. The applicants had filed the O.A. with the prayer that the respondents be directed to make the payment of arrears of 5th CPC for the period from 01.01.1996 to 18.02.2003 in pursuance of the judgment of Hon'ble Supreme Court of India dated 07.07.2014 in SLP (C) NO. 1587-1588/2014. The learned counsel

Amit Kumar

for the applicants had also submitted that the applicants have filed representation before the respondents in this regard.

3. This Tribunal while disposing of the OA, held as under:-

"The present O.A. has been filed by the applicants with the prayer that the respondents be directed to make the payment of arrears of 5th CPC for the period from 01/01/1996 to 18/02/2003 in pursuance of the judgment of Hon'ble Supreme Court of India dated 07/07/2014 in SLP (C) No. 1587-1588/2014. Learned counsel for the applicant submits that applicants have filed representation before the respondents No. 6 which is still pending for consideration. In view of this fact, we deem it just and proper that the ends of justice would be met if the respondents are directed to consider and decide the representation dated 18/07/2014 (Annexure-A/1) by way of passing a reasoned and speaking order.

Respondent No. 6 is directed to consider and decide the representation of the applicants dated 18.07.2014 (Annexure A/1) strictly in accordance with the provision of law and pass a reasoned & speaking order expeditiously but in any case not later than a period of four months from the date of receipt of a copy of this order.

If any prejudicial order against the interest of the applicant is passed by the respondent No. 6, the applicant will be at liberty to challenge the same by way of filing the substantive Original Application in accordance with provision of law.

The learned counsel for the applicants is directed to provide a copy of the paper book of the O.A. along with the copy of this order to the respondent No. 6."

4. The learned counsel for the applicants submitted that some of the applicants in the OA belong to Western Region and some belong to North Western Region. So respondent nos. 4 & 6 were made party before this Hon'ble Tribunal but inadvertently this Hon'ble Tribunal issued directions only to respondent no. 6 instead of respondent nos. 4 & 6. Therefore, the learned counsel for the applicants has prayed that the order dated 15.10.2014 may be reviewed to the extent that directions be issued to respondent nos. 4 & 6 instead of respondent no. 6 only to consider and decide the representation of the applicants in the O.A.

Anil Kumar

5. We have carefully perused the Review Application and the grounds taken therein. We have also perused the OA No. 291/00562/2014 and the order dated 15.10.2014. We do find an inadvertent typographical error in the order dated 15.10.2014 passed in OA No. 291/00562/2014. Accordingly, the order passed in the OA may be read as under:-


"The present O.A. has been filed by the applicants with the prayer that the respondents be directed to make the payment of arrears of 5th CPC for the period from 01/01/1996 to 18/02/2003 in pursuance of the judgment of Hon'ble Supreme Court of India dated 07/07/2014 in SLP (C) No. 1587-1588/2014. Learned counsel for the applicant submits that applicants have filed representation before the respondents Nos. 4 & 6 which is still pending for consideration. In view of this fact, we deem it just and proper that the ends of justice would be met if the respondents are directed to consider and decide the representation dated 18/07/2014 (Annexure-A/1) by way of passing a reasoned and speaking order.

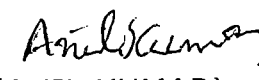
Respondent Nos. 4 & 6 are directed to consider and decide the representation of the applicants dated 18.07.2014 (Annexure A/1) strictly in accordance with the provision of law and pass a reasoned & speaking order expeditiously but in any case not later than a period of four months from the date of receipt of a copy of this order.

If any prejudicial order against the interest of the applicants is passed by the respondent Nos. 4 & 6, the applicants will be at liberty to challenge the same by way of filing the substantive Original Application in accordance with provision of law.

The learned counsel for the applicants is directed to provide a copy of the paper book of the OA along with the copy of this order to the respondent Nos. 4 & 6."

6. With these observations & directions, the Review Application is disposed of by circulation.


(DR. MURTAZA ALI)
MEMBER (J)


(ANIL KUMAR)
MEMBER (A)

Abdul