

**CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH,
ALLAHABAD**

Orders reserved on : 08.01.2018

Orders pronounced on : 09.02.2018

Hon'ble Mr. Justice Dinesh Gupta, Member (J)

Hon'ble Mr. Gokul Chandra Pati, Member (A)

M.A. No.330/12/2018
&
M.A.No.330/2469/2017
in
O.A. No.330/1506/2017

Asha Ram Maurya *Applicant*
(By Advocate : Shri R.K. Mishra)

Versus

Union of India and others *Respondents*
(By Advocate : Shri L.P. Tiwari for R-1 and Shri S.K. Anwar
for R-2, 3 and 4)

O R D E R

Delivered by Hon'ble Mr. Justice Dinesh Gupta, J. M.:

MA No.12/2018 has been moved by the learned counsel for the respondents for recall/correction of Order dated 8.12.2017 passed in OA No.1506/2017 by this Tribunal.

2. The said OA was listed before this Tribunal on 8.12.2017 and on that date, counsel for the applicant Shri R.K. Mishra, counsel for respondent no.1 Shri L.P. Tiwari and counsel for respondent nos.2, 3 and 4 Shri S.K. Anwar were present.

3. During the course of arguments, learned counsel for the applicant stated that similar issue had been decided vide Order dated 21.10.2014 passed in OA No.1163/HR/2013 and OA No.602/HR/2013 vide Order dated 10.11.2014 by the Chandigarh Bench of this Tribunal and requested that he would be satisfied, if the present OA be also disposed of in the same terms. Keeping the aforesaid submission of the learned counsel of the applicant, this Tribunal vide Order dated 8.12.2017 disposed of the said OA relying upon the judgment passed by the Chandigarh Bench of this Tribunal in the said OAs.

4. Now, the learned counsel for the respondents has filed MA No.12/2018 for recall/correction of Order dated 8.12.2017 passed in OA 1506/2017 and submitted that the present matter cannot be claimed to be covered by the judgment of the Chandigarh Bench of this Tribunal and requested to grant time for filing the counter affidavit.

5. Counsel for the respondents further submitted that if correction is not possible then the application shall be considered as a Review Application.

6. Learned counsel for applicant has also moved MA No.2469/2017 for correction in the Order dated 8.12.2017 passed in OA 1506/2017 by this Tribunal, mentioning that due to typographic mistake in the said Order, the order dated

7.12.2016 impugned in the said OA has not been quashed and this Tribunal disposed of the OA with certain directions.

Since both the applicant has challenged the final order passed by this Tribunal accordingly, the MAs are allowed and Order dated 8.12.2017 passed in OA No.1506/2017 is recalled and the OA is restored to its original position.

7. Respondents are directed to file their counter affidavit within four weeks. Rejoinder, if any, may be filed within two weeks thereafter.

8. List this case for hearing on

(Gokul Chandra Pati)
Member (A)

(Justice Dinesh Gupta)
Member (J)

/HLS /