

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH**

R.A. No. 152/2016 &
R.A. No. 156/2016 in
O.A. No. 4186/2012

New Delhi, this the 4th day of January, 2017

**HON'BLE MR. P.K. BASU, MEMBER (A)
HON'BLE DR. BRAHM AVTAR AGRAWAL, MEMBER (J)**

RA 152/2016 in OA 4186/2012

Ms. Promila,
Additional Public Prosecutor
R/o 33/1, Delhi Govt. Officers Flats,
Rajpur Road, New Delhi-110054. .. Review Applicant

(By advocate : Shri Sanjay Jain)

Versus

1. Nimmi Sisodia
w/o Mr. Anil Kumar Sisodia
r/o House No.128,
Rameshwar Nagar,
Azadpur, Delhi -33
2. Balbir Singh
s/o Mr. Satya Singh
r/o H.No.A-5, Sawan Park
Ashok Vihar Phase III,
Delhi-110052 .
3. Ghanshayam Srivastava
s/o Mr. Ishwar Sharan Srivastava
R/o F-1/172, Gyan Khand-I
Indirapuram, Ghaziabad, UP
4. Anupama Singh
d/o Mr. K.G. Verma
r/o 78 A, Satyam Enclave
Near P S Vivek Vihar
Delhi-110095 .

5. Vijendra Kumar
s/o Mr. Sumer Singh Swami
Flat No.201, Plot No.9
Yash Apartments,
Dwarka Sector-11, Delhi-110075 .
6. Govt. of NCT of Delhi
Through Chief Secretary
Delhi Government
Delhi Secretariat,
New Delhi-110002 .
7. Directorate of Prosecution
Through Director
Tis Hazari Courts,
Delhi-110054 .
8. Union Public Service Commission
Through its Chairman
Dholpur House, Shahjahan Road
New Delhi-110069 .
9. Principal Secretary (Home)
Government of National Capital Territory of Delhi,
Home Department
5th Level, C Wing,
Delhi Secretariat, IP Estate, New Delhi
10. Subhash Chandra,
Addl. Public Prosecutor
Presently posted at Tis Hazari Courts,
Delhi.
11. Neelam Narang,
Addl. Public Prosecutor
Presently posted at Tis Hazari Courts, Delhi.
12. Dushyant Kumar Siwatch,
Addl. Public Prosecutor
Presently posted at Dwarka District Courts, Delhi.
13. Birender Singh Dagar,
Addl. Public Prosecutor
Presently posted at Police Training
College (PTC), Delhi

14. Aditya Kumar,
Addl. Public Prosecutor
Presently posted at Saket District Courts, Delhi
15. Ram Kishor Gurjar,
Addl. Public Prosecutor
Presently posted at Saket District Courts, Delhi
16. Pravin Kumar Samadhiya,
Addl. Public Prosecutor
Presently posted at Tis Hazari Courts, Delhi
17. Ravinder Kumar,
Addl. Public Prosecutor
Presently posted at Karkardooma Courts, Delhi
18. Harvinder Kumar Nar,
Addl. Public Prosecutor
Presently posted at Tis Hazari Courts, Delhi.
19. Sanjay Kumar,
Addl. Public Prosecutor
Presently posted at Karkardooma Courts, Delhi.
20. Subhash Chander Sroai,
Addl. Public Prosecutor
Presently posted at Rohini Courts, Delhi
21. Surinder Kumar Kain,
Addl. Public Prosecutor
Presently posted at Saket Courts, Delhi.
22. Virender Singh,
Addl. Public Prosecutor
Presently posted at Tis Hazari Courts, Delhi.
23. Pramod Kumar,
Addl. Public Prosecutor
Presently posted at Rohini District Courts, Delhi.
24. Inder Kumar,
Addl. Public Prosecutor
Presently posted at Patiala House Courts, Delhi.
25. Shiv Kumar,
Addl. Public Prosecutor

Presently posted at Rohini Courts, Delhi.

26. Vijender Kumar,
Addl. Public Prosecutor
Presently posted at Tis Hazari Courts, Delhi.

27. George M.X.,
Addl. Public Prosecutor
Presently posted at Police
Training College (PTC), Delhi. ... Respondents

(By Advocate : Shri Ranjan Kumar with Shri Sanjay Kumar
for R-1 to 5, Shri Ajesh Luthra with
Ms. Sriparna Chatterjee for R-10, 11 & 17)

RA 156/2016 in OA 4186/2012

1. Harvinder Kumar Nar,
Addl. Public Prosecutor
Presently posted at Tis Hazari Courts, Delhi.
(Respondent No.13 in OA No.4186/2012)

2. Sanjay Kumar,
Addl. Public Prosecutor
Presently posted at Patiala House Courts, Delhi.
(Respondent No.14 in OA No.4186/2012)

3. Surinder Kumar Kain,
Addl. Public Prosecutor
Presently posted at Patiala House Courts, Delhi.
(Respondent No.17 in OA No.4186/2012)

4. Virender Singh,
Addl. Public Prosecutor
Presently posted at Tis Hazari Courts, Delhi.
(Respondent No.18 in OA No.4186/2012)

5. Pramod Kumar,
Addl. Public Prosecutor
Presently posted at Rohini District Courts, Delhi.
(Respondent No.19 in OA No.4186/2012)

6. Shiv Kumar,
Addl. Public Prosecutor
Presently posted at Rohini Courts, Delhi.
(Respondent No.21 in OA No.4186/2012)

7. Vijender Kumar,
Addl. Public Prosecutor
Presently posted at Tis Hazari Courts, Delhi.
(Respondent No.22 in OA No.4186/2012)
.. Review applicants

(By advocate : Shri S.K. Das)

Versus

1. Nimmi Sisodia
w/o Mr. Anil Kumar Sisodia
r/o House No.128,
Rameshwar Nagar,
Azadpur, Delhi -33
2. Balbir Singh
s/o Mr. Satya Singh
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R/o F-1/172, Gyan Khand-I
Indirapuram, Ghaziabad, UP
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r/o 78 A, Satyam Enclave
Near P S Vivek Vihar
Delhi-110095 .
5. Vijendra Kumar
s/o Mr. Sumer Singh Swami
Flat No.201, Plot No.9
Yash Apartments,
Dwarka Sector-11, Delhi-110075 .
(No.1 to 5 are applicants in OA No.4186/2012)
6. Govt. of NCT of Delhi
Through Chief Secretary
Delhi Government
Delhi Secretariat,
New Delhi-110002 .

7. Directorate of Prosecution
Through Director
Tis Hazari Courts, Delhi-110054 .
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Through its Chairman
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Addl. Public Prosecutor
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Addl. Public Prosecutor
Presently posted at Karkardooma Courts, Delhi

18. Subhash Chander Sroai,
Addl. Public Prosecutor
Presently posted at Rohini Courts, Delhi

19. Ms. Promila,
Additional Public Prosecutor
Presently posted at Tis Hazari Courts, Delhi

20. Inder Kumar,
Addl. Public Prosecutor
Presently posted at Patiala House Courts, Delhi.

21. George M.X.,
Addl. Public Prosecutor
Presently posted at Police
Training College (PTC), Delhi. ... Respondents
(6 to 21 are Respondent in OA No.4186/2012)

(By Advocate : Shri Ranjan Kumar with Shri Sanjay Kumar
for R-1 to 5, Shri Ajesh Luthra with
Ms. Sriparna Chatterjee for R-10, 11 & 17)

ORDER (ORAL)

By Mr. P.K. Basu, Member (A)

Heard the learned counsel in the review applications and
also perused the order dated 19.07.2016 of the Hon'ble High
Court, specifically the following portion:

“We have perused the order dated 01.06.2016 passed
by the Tribunal which shows that the Tribunal did not
deem it appropriate to adjourn the matter as the counsel
was not available and since several adjournments had
already been given.

The learned counsel for the petitioner, at this stage,
craves leave to move an application for review of the order
dated 1.6.2016 before the Tribunal. It is agreed that in
case the review application is filed within two weeks, the

plea of limitation will not be raised by the respondents herein.

The petition is disposed of in terms of the statement made by the counsel for the petitioner. We make it clear that we have not expressed any opinion on the merits of the matter."

2. This was a matter pertaining to the year 2012. When it came up for final hearing on 23.05.2016, since the learned counsel for the review applicants were not present and also not present on various other dates, we had proceeded to hear the matter in the presence of counsel for respondents Nos.1, 2, 3, 4, 8, 10 and 16.
3. In view of the fact, as stated by Shri Ajesh Luthra, that as a result of this order, some seniors, viz. private respondents No.5, 6 and 12 in the main O.A., would become junior, in the interest of justice, let the matter be re-heard. However, on the next date of hearing, no further adjournment should be allowed.
4. Accordingly, both the R.As. are allowed and the O.A. is restored to its original number and fixed for hearing for tomorrow, i.e. 05.01.2017, as Item No.2. It is made clear that no further adjournment would be granted in any case.

(Dr. Brahm Avtar Agrawal)
Member (J)

(P.K. Basu)
Member (A)