

**CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI**

**RA 169/2015
In
OA No.1329/2013**

The 9th day of September, 2015.

Hon'ble Mr. G.George Paracken, Member (J)
Hon'ble Mr. P.K.Basu, Member (A)

1. Shri Rakesh Chander Verma
S/o Late Shri K.L.Verma
R/o C-24, Neelamber Apartment
Sainik Vihar, Delhi – 110 034
(Working as PA of DGM (Tax)
O/o CGM, NTR Eastern Court
ND-110 001)
2. Smt. Rita Jain
W/o Shri A.K.Jain
R/o G-73, Street No.22, Raja Puri
Opp. Dwarka, New Delhi – 110 059
(Working as PA of PCE (Civil) Bangla
Sahib Gurudwara, New Delhi)
3. Smt. Nitoo Nijhawan
W/o Sh. Arun Nijhawan
R/o 1353, Rani Bagh
Delhi – 110034
(Working as PA of Sr. GM (N-C)
O/o CGM, NTR 1st floor Kidwai Bhawan
New Delhi)
4. Smt. Sunita Ramnani
W/o Sh.V.K.Ramnani
R/o Flat No.509, Plot No.13
Sector -9, Dwarka New Delhi
(Working as PA of CGM (NCES)
O/o CGM (NCES) Jhandewalan, New Delhi)
5. Smt. Sathee Devi
W/o Shri Kunhi-Kannan T.K.
R/o 71-D, DDA MIG Flats, Site 2
Pocket-6, Sector-1A, Dwarka
New Delhi
(Working as PA of Principal CE©
Bangla Sahib Road, ND) Review Applicant

(By Advocate: Mr. S.P.Yadav & Mr. Satpal Yadav)

VERSUS

1. Bharat Sanchar Nigam Ltd.(BSNL)
Bharat Sanchar Bhawan, Janpath
New Delhi – 110 001
Through its Chief Managing Director (CMD)

2. Chief General Manger (Mtnce.) NTR
Bharat Sanchar Nigam Ltd.
Kidwai Bhawan, Janpath
New Delhi – 110 001

3. Chief Engineer (Civil)
First Floor, ARA Centre
C-6/2 Behind Kali Mandir
Bangla Sahib Road
New Delhi – 110 001

.... Respondents

(By Advocate: Shri Ankur Mittal proxy for Mr. Abhay Gupta)

Order (Oral)

By Hon'ble Mr.P.K.Basu, Member (A)

This Review Application No.169/2015 has been filed seeking review of our order dated 28.10.2014 in RA Nos.131/2014 & RA 130/2014. The Original OA No.1329 & 1234/2013 was disposed of vide our order dated 25.03.2014. RA No.130 & 131/2014 sought certain corrections in the order. These RAs were disposed of vide order dated 28.10.2014 modifying the order dated 25.03.2014. As stated above, the current RA has been filed seeking review and recall of the order dated 28.10.2014.

2. The applicant's case is that they had approached the Hon'ble High Court of Delhi in WP (C) No.3613/2015 in which the Hon'ble High Court passed the following order :-

“After some arguments, counsel for the petitioners seeks to withdraw the present petition with the liberty to file a review application before the learned Tribunal to seek adjudication of their plea already raised by them in their OA challenging the decision of the respondents taken by them vide impugned order dated 01.04.2013 and 04.04.2013 withdrawing the earlier office order dated 26.05.2008 by which these petitioners have been again re-designated as Stenographers.

Reserving the said liberty to the petitioners, the present petition is dismissed as withdrawn.”

3. It is, therefore, argued that it is only on the direction of the Hon'ble High Court that the present Review Application No.169/2015 has been filed.

4. The learned counsel for the respondents, however, stated that Rule 17 (4) of CAT (Procedure) Rule, 1987 provides as follows :-

“(4) When an application for review of any judgment or order has been made and disposed of, no further application for review shall be entertained in the same manner.”

5. It is contended by the learned counsel for the respondent that in view of the specific provision of Rule 17 (4), this Review Application cannot be entertained .

6. We have perused the order of Hon’ble High Court of Delhi. It would be seen that the applicants of this Review Application had nowhere indicated to the Hon’ble High Court that their Review Application has been disposed of. Rather it had been stated that they wish to withdraw the present petition to seek adjudication of their plea already raised by them in their OA. It is clear from this that in this background, the Hon’ble High Court had granted them liberty as the applicants had clearly misled the Hon’ble High Court.

7. We are of the view that in the light of specific provision of Rule 17 (4) of CAT (Procedure) Rule, 1987 this Review Application cannot be entertained by us and it is, therefore, dismissed.

(P.K.Basu)
Member (A)

(G.George Paracken)
Member (J)

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