

**Central Administrative Tribunal
Principal Bench, New Delhi.**

**RA-16/2016 in
OA-4454/2015**

New Delhi this the 18th day of January, 2016.

Hon'ble Mr. Shekhar Agarwal, Member (A)
Hon'ble Dr. Brahm Avtar Agrawal, Member (J)

Union of India through

1. The Secretary,
Govt. of India,
Ministry of Urban Affairs & Employment,
Nirman Bhawan, New Delhi-1.
2. The Director General,
Central Public Works Department,
Nirman Bhawan, New Delhi.

.... Review Applicants

Versus

1. Rajvir Singh, EE(Civil),
Aged about 52 years,
S/o Sh. Chhotey Lal,
R/o 28/18A/77F/4,
Gali No.2, Edgah Road,
Bhola Nath Nagar,
Ext. Shahdara, Delhi-32.
2. Akhilesh Kumar Singh, JE(Civil)
Aged about 40 years,
S/o Sh. Narendra Prashad Singh,
R/o 26/1017, B.K.S. Marg,
New Delhi-1.
3. Daya Shankar Dubey, AE(Electrical)
Aged about 57 years,
S/o Sh. K.L. Sharma,
R/o A-177, Pandar Road,
New Delhi-3.
4. Prayag Dutt Tripathi, AE(Electrical)
Aged about 55 years,
S/o Sh. Nagendra Nath Tiwari,
R/o B-2, Raj Enclave, DLF Colony,
Sahibabad, Ghaziabad(UP).
5. Nasiruddin, AE(Electrical)

Aged about 56 years,
S/o late Sh. Subham Ali,
R/o 23/155, Lodhi Colony,
New Delhi-3.

6. Baljeet Singh, AE(Electrical)
Aged about 56 years,
S/o late Sh. Rattan Lal,
R/o 23/162, Lodhi Colony,
New Delhi-3.
7. Awadha Raj Mishra, AE (Electrical)
Aged about 56 years,
S/o late Sh. Yukti Nath Mishra,
R/o 61-C, Pkt-B, Dilshad Garden,
Delhi-95.
8. Ajay Kumar, AE(Electrical)
Aged about 49 years,
S/o late Sh. Ram Bali Singh,
R/o K1/1, Type-III, Qtr.Uddyan Marg,
Kali Bari, DIZ Area, Sec.2,
New Delhi-1.
9. Prabhu Nath Singh, AE(Electrical)
Aged about 49 years,
S/o late Sh. Ram Cheej Singh,
R/o B-253, Sarojini Nagar,
New Delhi-23.

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Respondents

O R D E R (By Circulation)

Mr. Shekhar Agarwal, Member (A)

This Review Application has been filed by the respondents in OA-4454/2015 for review of our order dated 08.12.2015, the operative part of which reads as follows:-

"4. Accordingly, in view of the limited prayer made by the counsel for the applicants, we dispose of this OA, at the admission stage itself, without issuing notices to the respondents and without going into the merits of the case, with a direction to the respondents to consider and decide the aforesaid representations of the applicants in the light of the judgment dated 26.05.2014 in OA No. 1599/2013 of this Tribunal mentioned above. The respondents shall communicate their decision to the applicants within 90 days by means of a speaking order. No costs."

2. The review applicants have stated that this O.A. has been decided ex-parte without notice to them. Moreover, this Tribunal has committed an error as the judgment was primarily based on the decision in OA-1599/2013 but the applicants herein were not similarly placed as applicants of OA-1599/2013 because those applicants had enrolled in JRN Deemed University before 2005 whereas the applicants herein got enrolled in the same University after 2005.

3. We have considered the submission of the review applicants. We notice from our order that it is very clearly mentioned in the same that the O.A. was being disposed of at the admission stage itself without issuing notices to the respondents and without going into the merits of the case. The direction given to the respondents was to decide the representations of the applicants in the light of the judgment in OA-1599/2013. This Tribunal has nowhere come to the conclusion that the applicants of O.A. herein were similarly placed as applicants of OA-1599/2013. Rather, respondents have been directed to examine and decide this matter. Thus, no error has been committed by this Tribunal since no finding has been given. No prejudice has been caused to the respondents by disposing of the OA without notice to them as they have only been directed to decide the representations of the applicants and have not been constrained in any manner from taking a decision on merits.

4. Hence, we find that there is no merit in this review application and it is dismissed in circulation.

(Dr. Brahm Avtar Agrawal)
Member (J)

(Shekhar Agarwal)
Member (A)

/Vinita/