

Central Administrative Tribunal
Principal Bench
New Delhi

M.A.No.1067/2015 in R.A.No.53/2015
and
R.A.No.53/2015 in O.A.No.1354/2013

Order Reserved on: 10.02.2016
Order pronounced on 16.02.2016

Hon'ble Shri V. Ajay Kumar, Member (J)
Hon'ble Shri V. N. Gaur, Member (A)

1. Staff Selection Commission

Through its Chairman
Block No.12, CGO Complex
Lodhi Road
New Delhi – 110 003.

2. The Secretary-cum-Controller of Examination

Block No.12, CGO Complex
Lodhi Road
New Delhi – 110 003.

3. Regional director (NR)

Block No.12, CGO Complex
Lodhi Road
New Delhi – 110 003. .. Review Applicants

(By Advocate: Sh. S.M.Arif)

Versus

Smt. Nagina
Roll No.2405002210
W/o Shri Bharat Mor
R/o Gali No.5, Ward No.5
Pilpal Wali Gali, Adarsh Nagar
Gohana, Sonepat
Haryana-131301.

... Review Respondent

O R D E R

By V. Ajay Kumar, Member (J):

As the learned counsel for the respondent in the review continuously seeking time to argue the case, on 03.02.2016 it was made clear that no further time shall be granted at his request. However, in spite of the said order, neither any counter filed in the RA nor there is any representation on his behalf today, and hence, the arguments of the learned counsel for the review applicants are heard. MA No.1067/2015, filed for condonation of delay in filing of the RA, is allowed in the interest of justice.

2. Some of the facts in the OA, which are requisite to be stated, are that aggrieved by the identical Show Cause Notices issued to the various candidates of the Combined Graduate Level Examination – 2012 (in short, CGLE-2012) by the Staff Selection Commission, a batch of OAs were filed. The said OAs, bearing OA No.1352/2013 and batch, were finally disposed of by a common Order dated 22.11.2013.

3. The OA No.1354/2012, in which the present RA has been filed, was also disposed of along with the said batch by the same common Order dated 22.11.2013.

4. The respondents in OA No.1354/2012 filed the RA by stating that the applicant in the OA was the candidate of Combined Recruitment for Assistant Grade III in General, Depot, Technical and Account Cadres and Hindi Posts (AG-II) and Typist in Food Corporation of India – 2012

and the facts in this OA are different from that of the facts in the aforesaid batch of cases. Since this OA also disposed of by the said common Order dated 22.11.2013 in OA No.1352/2013 and batch wrongly, the said order is to be reviewed/recalled to the extent of OA No.1354/2013 and the same is to be restored to its original file for disposal on its own merits.

5. It is further submitted that in fact this Tribunal has no jurisdiction to entertain OA No.1354/2013 as the posts in question are the posts in Food Corporation of India.

6. As rightly submitted by the learned counsel for the review applicants that the subject matter of the OA No.1354/2013 is the Combined Recruitment for Assistant Grade III in General, Depot, Technical and Account Cadres and Hindi Posts (AG-II) and Typist in Food Corporation of India – 2012 whereas in OA No.1352/2013 and batch the subject matter pertains to the Combined Graduate Level Examination-2012, and that the OA 1354/2013 was disposed of wrongly and without noting the difference of facts, which is a clear error apparent on the face of the record.

7. In the circumstances and for the aforesaid reasons, the RA is allowed and the common Order dated 22.11.2013 in OA 1352/2013 is recalled to the limited extent of O.A.No.1354/2013 and accordingly, the O.A.No.1354/2013 is restored to its original file and directed to be

listed for fresh hearing on 10.03.2016. There shall be no order as to costs.

(V. N. Gaur)
Member (A)

(V. Ajay Kumar)
Member (J)

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