

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

**RA-327/2015 in
OA-2747/2014
MA-4241/2015
MA-4242/2015
MA-4243/2015
CP-483/2015**

New Delhi this the 05th day of September, 2016.

Hon'ble Mr. Justice L.N. Mittal, Member (J)

Hon'ble Sh. Shekhar Agarwal, Member (A)

1. Union of India through the Secretary
Department of Science and Technology
Ministry of Science & Technology
Technology Bhawan
New Mehrauli Road
New Delhi-16
2. The Secretary, Ministry of Personnel
Public Grievances & Pensions
(Department of Personnel & Training)
Govt. of India, New Delhi ... Applicants/Respondents in OA

(By Advocate: Sh. R.V. Sinha)

Versus

1. Dr. Parveen Arora, aged 49 years
Scientist-G
s/o late Mr. K K Arora
r/o O-41, Nivedita Kunj
Sector 10, R K Puram
New Delhi-22
Posted at
Department of Science and Technology
Technology Bhavan
New Mehrauli Road
New Delhi-16
2. Chander Mohan, aged 56 years
Scientist-G
s/o Mr. Hari Krishan
r/o G-47, HUDCO Place Extn.
New Delhi-49

Posted at
Department of Science and Technology
Technology Bhavan
New Mehrauli Road
New Delhi-16

3. Dr. K R Murali Mohan, aged 51 years
Scientist-G
s/o late Mr. K V Ramachandran
r/o D-II, Vinay Margh, Chanakya Puri
New Delhi
Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delh-16
4. Shyam Sunder Kohli, aged 52 years
Scientist-G
s/o Wg. Cdr. J R Kohli (Retd.)
r/o 202/7, Pushp Vihar
Sector I, M B Road
New Delhi-17
Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delh-16
5. Dr. Bhoop Singh, aged 55 years
Scientist-G
s/o Late Ram Chander Singh
r/o E Pocket, 25 B
Dilshad Garden
New Delhi-95

Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delh-16
6. Dr. Rambir Singh, aged 56 years
Scientist-G
s/o late Bhanwar Singh
r/o C Block, H NO 49 and 50
Hargobind Enclave
Rajpur Khurd
Chattarpur -68
Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delh-16
7. Dr. M K Patairiya, aged 52 years
Scientist-G
s/o Mr. Prem Narayan Patairiya

r/o 25/3, Sector 1
Pushp Vihar
New Delhi 17
Posted at
Department of Science and Technology
Technology Bhavan
New Meharauli Road
New Delh-16

... Respondents/Applicants in OA

(By Advocate: Sh. R K Kapoor with Ms. Kheyali Sarkar)

ORDER (ORAL)

Hon'ble Mr. Justice L.N. Mittal, Member (J)

We have heard counsel for the parties in this RA. Counsel for review applicants has referred to affidavit of Sh. Satyendra Kumar, Advocate (who represented the review applicants-respondents of the OA during the hearing of the OA) that he had not consented during the hearing of the OA that the case was covered by judgment of Hon'ble Supreme Court in the case of **UOI Vs. S.K. Murli in SLP (Civil) No. 6864/2011** as noted by Hon'ble Tribunal in para 6 of the order dated 27.03.2015. Aforesaid assertion has not been rebutted by the original applicants by filing any affidavit of the counsel who represented them at the hearing of the OA. Counsel for review applicants has also stated that case of **S.K. Murli (supra)** is distinguishable on facts from the instant case.

2. Since the OA was decided by observing that counsel for respondents has not disputed that the case is covered by judgment in the case of **S.K. Murli (supra)**, the said factual position has been asserted to be wrong in the affidavit of the counsel. Consequently, on this short ground, the order dated 27.03.2015 is required to be reviewed and OA has to be reheard.

3. Accordingly the instant review application is allowed. Order dated 27.03.2015 passed by this Tribunal in the OA is recalled and OA is ordered to be reheard.

4. CP is also closed and notices issued in the CP stand discharged. List the OA for final hearing on 30.09.2016.
5. All the MAs stand disposed of accordingly.

(Shekhar Agarwal)
Member (A)

(L.N. Mittal)
Member (J)

/ns/