

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

**RA No. 24/2019  
RA No. 204/2018  
in  
OA No. 2229/2009  
MA No. 246/2019  
MA No. 1640/2019  
MA No. 3377/2019**

This the 18<sup>th</sup> day of October, 2019

**Hon'ble Mr. S.N. Terdal, Member(J)**  
**Hon'ble Mr. A.K. Bishnoi, Member(A)**

1. Girish Chander Dabral  
S/o Late Shri J.R. Dabral  
Working as Production Assistant in the Office of Doordarshan  
Kendra, Delhi.
2. Ranjeet Kumar Verma  
S/o Shri N.P. Verma  
Working as Production Assistant in the Office of CPC, Doordarshan  
Kendra, NewDelhi.
3. Sanjeev Soni  
S/o Late Shri P.N. Soni  
Working as Production Assistant in the Office of CPC, Doordarshan  
Kendra, NewDelhi.
4. Manoj Mathur  
S/o Shri P.N. Mathur  
Working as Production Assistant in the Office of Doordarshan  
Kendra, Delhi.
5. Narrotam Prasad  
S/o Shri Kirpa Ram  
Working as Production Assistant in the Office of Doordarshan  
Kendra, Delhi.
6. Pradeep Kumar Agnihotri  
S/o Shri T.S. Agnihotri  
Working as Production Assistant in the Office of Doordarshan  
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7. Tribhuwan Prasad Rai  
S/o Shri Shiv Nath Rai  
Working as Production Assistant in the Office of DG, Doordarshan  
Kendra, Mandi House, New Delhi.
8. M.S. Dhapola  
S/o Shri U.S. Dhapola  
Working as Production Assistant in the Office of DG, Doordarshan  
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S/o Shri Hira Lal Sharma  
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S/o Shri Ramesh C. Gupta  
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Working as Production Assistant in the Office of Doordarshan  
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18. Smt. Veena Sehgal  
S/o Shri Satish Sehgal  
Working as Production Assistant in the Office of Doordarshan  
Kendra, Mandi House, Phase-II, New Delhi.
19. Ashok Kumar Rai  
S/o Shri G.S. Rai  
Working as Production Assistant in the Office of  
DoordarshanKendra,MandiHouse, Phase-II, New Delhi.

20. Pradeep Kumar  
S/o Late Shri Banwari Lal  
Working as Production Assistant in the Office of Doordarshan  
Kendra, Mandi House, Phase-II, New Delhi.
  21. Sanjay Kumar Saxena  
S/o Late Shri Ved Prakash Saxena  
Working as Production Assistant in the Office of Doordarshan  
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  22. Smt. Asha Bhagat  
S/o Shri Pardeep Bhagat  
Working as Production Assistant in the Office of Doordarshan  
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  23. Kailash Chander Papnai  
S/o Late Shri Chintamani  
Working as Production Assistant in the Office of Doordarshan  
Kendra, Mandi House, Phase-II, New Delhi.
  24. Rati Kesh  
S/o Shri Jagdish Joshi  
Working as Production Assistant in the Office of CPC, Doordarshan  
Kendra, Khelgaon, New Delhi.
- ...Applicants

(By Advocate: Dr. Ashwani Bhardwaj)

### Versus

- |   |                          |
|---|--------------------------|
| <ol style="list-style-type: none"> <li>1. Union of India through the Secretary<br/>Ministry of Information &amp; Broadcasting<br/>Shastri Bhawan, New Delhi.</li> <li>2. The Director General<br/>Doordarshan, Doordarshan Bhawan<br/>Mandi House, New Delhi.</li> <li>3. The Director General<br/>Directorate General<br/>All India Radio, Akashvani Bhawan<br/>New Delhi.</li> <li>4. Programme Staff Association of AIR &amp; DD<br/>Through Mr. R. Srinivasan (General Secretary)<br/>Room No. 406, Akashvani Bhawan<br/>Parliament Street, New Delhi.</li> <li>5. Smt. Suman Sanjay Aggarwal, PEX<br/>W/o Shri Sanjay Aggarwal<br/>R/o AB-402, Mayank Mansion<br/>Plot No. 21, Sector-6, Dwarka, New Delhi.</li> <li>6. Shri Sanjay Aggarwal<br/>R/o AB-402, Mayank Mansion<br/>Plot No. 21, Sector-6, Dwarka, New Delhi.</li> </ol> | <b>REVIEW APPLICANTS</b> |
|---|--------------------------|

7. Shri Pramod Kumar, PEX  
S/o Shri M.P. Vats  
R/o A-196/197, Weaver's Colony  
Ashok Vihar, Delhi -52.
8. Shri Rajeev Dubey  
S/o Shri D.S. Dubey  
R/o Flat No. 2594, Sector-D2, Vasant Kunj, Delhi.
9. Shri G. Nageswar Reddy  
S/o Shri G. Srirama Reddy  
All India Radio, Anantpur (AP).
10. Shri Praveen Chand  
S/o Shri Mahabir Singh  
Promotion Programme Executive (I/C)  
In the office of SD, AIR, Delhi  
R/o E-1503, Netaji Nagar, New Delhi.
11. Shri Vinod Kumar  
S/o Shri R.K. Sharma  
R/o C-617, Sarojini Nagar, New Delhi.
12. Shri Pankaj Pati Pathak  
S/o Late Shri S.L. Pathak  
R/o A-403, Merabai CGHS, Shri Krishna Apartments  
Plot No. 10, Sector – 5, Dwarka, New Delhi – 75.
13. Shri Shilini Mittal S/o Shri Avinash Mittal  
R/o C-404, Pavitra Apartments  
Vasundhara Enclave, Delhi.
14. Shri T. Arunan  
Transmission Executive in the office of All India Radio, Hyderabad.
15. Shri S. Annamalai Pandian  
Transmission Executive  
All India Radio, Chennai.
16. Shri Avik Kukherjee  
S/o Shri S.K. Mukherjee  
R/o A-504, Prasar Kunj, Sector Pi, Greater Noida (UP).
17. Shri Mobin Ahmed Khan  
S/o Shri Abdul Latif Khan  
R/o B-107/2, IV Floor, Shaheen Bagh, Jamia Nagar, New Delhi.
18. Shri Ashok Kumar Ojha  
S/o Prf. B. Ojha  
R/o 61-A, Arawali Apartments, Noida (UP).
19. Shri JagmohanRathi  
S/o Shri M.S. Rathi  
R/o SJ-13, Shastri Nagar, Ghaziabad.

20. Shri Dalip Kumar  
S/o Shri MahhakantJha  
R/o H-43-A, Sector-22, Noida (UP).

....Review Applicants

(By Advocates : Mr. Brijender Chahar, Sr. Adv. with Mr. Prakhar Bhatnagar, Mr. Mohit Tyagi, Mr. Aman Kharb, Ms. Ritu Rajkumari for original applicants, Mr. Hanu Bhaskar, Mr. Yogesh Sharma, Mr. Rajeev Sharma with Mr. Saket Chandra for R-2 & 3, Mr. Pankaj Kumar Singh for R-32, 33, 38 & 39,)

**RA No. 204/2018**

1. Satish Vimal  
S/o Shri Sham Lal  
Aged 52 years  
R/o L-2, Radio Colony, Raj Bagh, Srinagar, J & K.
2. Mohammad Tariq  
S/o Shri Ghulam Mohi-Ud-Din  
Aged 54 years  
R/o Zum Zum Colony, Rambagh, Srinagar, J & K.

Review Applicants

(By Advocate: Mr. Ankur Chhibber and Mr. Nikunj Arora)

Versus

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Ministry of Information & Broadcasting  
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Doordarshan, Doordarshan Bhawan  
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(By Advocates : Mr. Hanu Bhaskar, Mr. Yogesh Sharma for original applicants, Mr. Rajeev Sharma with Mr. Saket Chandra for R-2 & 3, Mr. Pankaj Kumar Singh for R-8, 9, 14 & 15), Dr. Ashwani Bhardwaj for R-28)

### **ORDER (ORAL)**

**Mr. S.N. Terdal :**

#### **RA No. 24/2019**

The review petitioners were party respondents in the OA No. 2229/2009 as well as in OA No. 242/2015. Against the order under review, WP (C) No. 9553/2018 is filed by some of the private respondents in the Hon'ble High Court of Delhi. In the said proceedings, the applicants in review petition no. 24/2019 are party respondents. Since the legality of the order under review is pending consideration before the Hon'ble High Court as such propriety requires that this Tribunal avoid adjudicating the said issue and also in view of sub rule (2) of Rule 1 of Order XLVII, CPC once an appeal is pending before any High Court, the review petitioner can agitate his case in Appellate Court. The said provision is extracted below :

“(2) A party who is not appealing from a decree or order may apply for a review of judgment notwithstanding the pendency of an appeal by some other party except where the ground of such appeal is common to the applicant and the appellant, or when, being respondent, he can present to the Appellate Court the case on which he applies for the review.”

In view of the above facts and the provisions, Review Petition No. 24/2019 is dismissed.

#### **RA No. 204/2018**

The review petitioners in this RA submit that they were not the party respondents in the aforesaid original OAs. However, from the letter dated

08.07.2016 passed by All India Radio (AIR) giving ad-hoc promotion to some of the officials, it is very categorically stated that all the ad-hoc promotions are subject to outcome of the above stated OAs. Some of the review petitioners in RA No. 204/2018 are shown in the list annexed with the order dated 08.07.2016. Thereafter, on 24.08.2016, the impugned order under review is passed.

In view of the above facts and aforesaid provisions of CPC, review applicants may agitate their grievance in the said Writ Petition pending before the Hon'ble High Court. Accordingly, RA No. 204/2018 is also dismissed.

In view of above, all the pending MAs are disposed of.

**(A.K. Bishnoi)**  
**Member (A)**

**(S.N. Terdal)**  
**Member (J)**

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