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

R.A.No.239/2004 in O.A.No.2945/2003

Thursday, this the 24th day of March 2005

Hon'ble Shri S. K. Naik, Member (A)

Vijendra Singh Gusain
S/o Attar Singh Gusain
R/o Village Silogi, PO Karwadi
Distt. Tehri Garhwal, Uttaranchal

.Applicant

(By Advocate: Ms. Seema for Mrs. Rani Chhabra)

Versus

1. Govt. of India
Ministry of Finance
Through its Secretary
Department of Revenue
Central Board of Excise & Customs
North Block, New Delhi
2. Customs and Central Excise
through its Chief Commissioner
Meerut
3. Deputy Commissioner
Customs & Central Excise Division
E Block, Nehru Colony Dehradun
Uttaranchal
4. Superintendent
Customs & Central Excise
Rishikesh Range
Rishikesh, Uttaranchal

..Respondents

(By Advocate: Shri H.K. Gangwani)

O R D E R (ORAL)

Heard the learned counsel for the parties on RA-239/2004 in OA-2945/2003. Learned counsel for respondents has contended that on verification it has been found that the applicant continued to be engaged by the respondents-Department and his services had not been disengaged. At the time of hearing before this Tribunal on 29.6.2004, however, it had been inadvertently stated by the respondents that as and when the necessity arises, they will reengage the applicant. In view of this discrepancy, learned counsel for respondents states that he has no objection if the RA is allowed.

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Seema

2. I have considered the contentions raised by the learned counsel for the parties. Since the correct position has not been informed to the Tribunal on the date of the disposal of the OA, it would be in the interest of justice that the RA is allowed and the OA be restored to its original number for de novo hearing of the case. I order accordingly.

3. List OA-2945/2003 for final arguments on 14.4.2005.

S. K. Naik
(S. K. Naik)
Member (A)

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