



Central Administrative Tribunal
Principal Bench

R.A.No.241/2003 in
M.A.No.1763/2003
O.A.No.1707/2003

Hon'ble Shri Shanker Raju, Member (J)

New Delhi, this the 1st day of September, 2003

Umrav Singh Rawat and five others ... Applicants
(As per memo. of parties)

Vs.

1. Ministry of Finance
Government of India
North Block
New Delhi through its
Secretary.
2. Directorate of General of
Central Excise Intelligence
West Bloc-VIII,
Wing No.VI, 2nd Floor
R.K.Puram, New Delhi
through its Director General ... Respondents

(By Advocate: Sh. A.K.Mishra with Sh. Sanjay Parikh
on behalf of applicants) ✓

O R D E R(Oral)

By Shri Shanker Raju, Judicial Member:

R.A.No.241/2003:

Heard the learned counsel for applicants.
Applicants earlier approached this Court seeking
direction for regularisation independent of the Scheme
of DoPT of 10.9.1993 as the temporary status accorded
to the applicants has been withdrawn in the light of
the decision of the Union of India & Others v. Mohan
Pal, 2002(4) Scale 216.

2. In the OA, applicants have sought
regularisation relying upon the decision of the Apex
Court in State of Haryana v. Piara Singh, 1992(4) SCC
118 and have sought an interim direction to continue
the applicants in employment till the disposal of the
OA.

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3. When the application has come up for hearing, at the initial stage, i.e., at the time of admission, the Bench has dismissed the OA, without issuing notices, in the light of the decision of the Apex Court in Mohan Pal's case supra.

4. In this view of the matter, learned counsel for applicants states that there is an error apparent on the face of record as the applicants have never sought regularisation against the DoPT's Scheme of 10.9.1993 rather they have claimed regularisation independent of the Scheme, as such dismissal of the OA was contrary to the pleadings.

5. In the light of the decision of the Apex Court in Surjit Singh & Others v. Union of India, 1997(10) SCC 592 held that in case a mistake committed by Tribunal, a duty is casted to rectify by way of review, I allow the RA and OA is restored.

O.A.No.1707/2003:

6. Issue notices to the respondents on OA as well as on interim relief, returnable in four weeks. List on 10.10.2003.

7. Till then status-quo, as off today, in respect of the applicants be maintained.

S. Raju
(Shanker Raju)
Member (J)

/rao/