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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(C) 9765/2015**

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Date of Judgment : 14.10.2015

H.V. DASAN & ORS

..... Petitioner

Through : Mr. M. N. Krishnamani, Sr. Advocate
with Mr. Soumyajit Pani, Mr. Konark
Tyagi and Mr. Rahul Bhandari,
Advocates.

versus

UNION OF INDIA & ANR

..... Respondent

Through : Mr. J. S. Bhasin, Ms. Rashmi Priya,
Mr. Nishant Shokeen and
Mr. Inderjeet Singh, Advocates for
R-1/UOI.

CORAM:

HON'BLE MR. JUSTICE G.S.SISTANI

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

G. S. SISTANI, J. (ORAL)

1. Mr. M. N. Krishnamani, learned Senior Counsel appearing for the petitioners submits that reading of the impugned judgment passed by the Central Administrative Tribunal would show that facts of OA No. 971/2002 being the case of *S. N. Dixit & Ors. Vs. Union of India & Ors.* were the entire base of the impugned judgment whereas the case of the present petitioners is factually different and had the facts of the present petitioners been taken into consideration, the result of the OA would have been absolutely different. Counsel further submits that the Tribunal would have taken into consideration that the persons junior to the petitioners are being paid higher pension than the petitioners and would not have simply rejected the OA on the ground

of decision being a policy matter.

2. After some hearing in the matter, petitioners submit that they would file a Review before the learned Tribunal and highlight the aforesaid submissions which have been urged before us.
3. We make it clear that in case the Review is filed within two weeks, the respondent would not raise the plea of limitation. We also have no hesitation in saying that the Tribunal would consider the Review in accordance with law and render its decision.
4. With these directions, the writ petition is disposed of.

G.S.SISTANI, J

SANGITA DHINGRA SEHGAL, J

OCTOBER 14, 2015

SC