

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE M. SEETHARAMA MURTI

WRIT PETITION No.29937 of 2016

ORDER: (Per Hon'ble Sri Justice Sanjay Kumar)

The petitioner is the applicant in O.A.No.1113 of 2014 on the file of the Central Administrative Tribunal, Hyderabad Bench. The said O.A. was dismissed by order dated 12.02.2016.

Sri M. Venkanna, learned counsel for the petitioner/applicant, would point out that the Tribunal dismissed the O.A. without taking into account the instructions of the Government of India contained in proceedings bearing No.17-17/2010-GDS dated 17.12.2015.

The aforesaid proceedings indicate that they should be given effect to taking the date of death of the Grameen Dak Sevak (GDS) as the cut-off date. The scope and applicability of these proceedings therefore warrant examination. However, as the Tribunal failed to consider these aspects, we are of the opinion that it would suffice in the interest of justice to permit the petitioner/applicant to seek review of the order passed in the O.A.

Given the peculiar facts of this case, we are of the opinion that the petitioner/applicant should be permitted to invoke the review jurisdiction of the Tribunal and in the event such an application is made, the same shall be considered on merits and in accordance with law without reference to the limitation aspect.

The writ petition is disposed of accordingly. Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR, J

M. SEETHARAMA MURTI, J

6th September, 2016
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