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Central Administrative Tribunal
Principal Bench

RA-56/2004 In
MA-410/2004
OA-3268/2001

New Delhi this the 22nd day of March, 2004

Hon'ble Shri V.K. Majotra, Vice-Chairman (A)
Hon'ble Shri Bharat Bhushan, Member (J)

1. Union of India
Through its Secretary
Ministry of Personnel,
Public Grievances & Pensions,
Department of Personnel & Training,
North Block, New Delhi.
2. Union of India
Through its Secretary,
Department of Company Affairs,
Ministry of Finance,
5th Floor, A-Wing,
Shastri Bhawan,
New Delhi.
3. Secretary
Monopolies & Restrictive Trade Practices
Commission, MRTD House, Shahjahan Road,
New Delhi.

-Applicants

(By Advocate: Shri Rajinder Nischal)

Versus

K.C. Ganjwal
Member
Company Law Board
5th Floor, "A" Wing, Shastri Bhawan,
New Delhi.
R/o D-II/343, Pandara Road, New Delhi.

-Respondent

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Vice-Chairman (A)

Learned counsel heard.

2. OA-3268/2001 was allowed on 6.5.2002 with
the following observations/directions to the
respondents:-

"We have carefully considered the submissions
made by the learned counsel on either side and
find that in view of what is provided in the

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aforesaid Rules reproduced above, the applicant must be placed on par with Shri K.N. Pandey and his pay should accordingly be fixed at Rs.18,900/- as on 1.1.1996.

The DA, in the circumstances, is allowed. The respondents are directed to pay all the consequential benefits to the applicant within a period of two months from the date of receipt of a copy of this order. No costs".

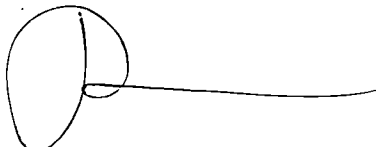
3. Through the present application, respondents have sought review of the aforesaid orders. Learned counsel pointed out that respondents had filed CW-2381/2003 in the Hon'ble High Court of Delhi on 1.9.2003 and it was dismissed on the same date by the Hon'ble High Court as withdrawn with liberty as prayed by the applicants in the Writ Petition to approach the Central Administrative Tribunal for review of the Tribunal's orders impugned in the Writ Petition. Learned counsel pointed out that respondents have caused a delay of one year and seven months in filing the present review petition explaining that due to involvement of multiple authorities in the Government, they have been late in deciding to file the ~~Writ~~ ^{Review} Petition.

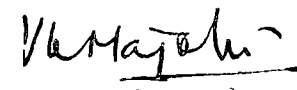
4. It is observed that while Tribunal's orders were passed on 6.5.2002, the Writ Petition in the Hon'ble High Court was filed on 1.9.2003 after a gap of one year and four months. Then, respondents have again caused a delay of more than five and a half months in filing the present review petition after the Writ Petition was disposed of by the Hon'ble High Court. Multiplicity of agencies in the Government for taking decision to file the present application is no

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good ground for having caused this inordinate delay. Respondents, in the OA, had caused delay in filing the Writ Petition as well as the Review Petition, which has not been explained to our satisfaction. Such an inordinate delay unsupported by any good ground cannot be condoned.

5. MA-410/2004 for condonation of delay in filing the instant Review Application is rejected. RA-56/2004 is also rejected accordingly.


(Bharat Bhushan)
Member(J)


(V.K. Majotra) 22.3.04
Vice-Chairman(A)

/cc/