

(B)
CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A.217/2002 IN
OA NO.1801/2001

New Delhi, this the 20th day of September, 2002

HON'BLE MRS. LAKSHMI SWAMINATHAN, VICE CHAIRMAN (J)
HON'BLE SHRI S.A.T. RIZVI, MEMBER (ADMN)

Dr. G.D.Rathi

....Review Applicant

Versus

1. Union of India & Ors.
through the Secretary
Government of India
Ministry of Health and
Family Welfare, Nirman Bhavan,
New Delhi-1
2. Additional Director of CGS (North Zone)
New Rajendra Nagar, Shankar Road,
New Delhi
3. Under Secretary
Ministry of Health & Family Welfare
Nirman Bhavan,
New Delhi

....Rsspondents

O R D E R (By Circulation)

Shri S.A.T. Rizvi:

RA No. 217/2002 has been filed by the review applicant for review of the order passed in OA-1801/2001 on 4.2.2002.

2. After a judgment was rendered in this OA on 4.2.2002, a copy of it became available to the review applicant admittedly on 14.2.2002. The period prescribed in the Administrative Tribunals Act, 1985 for filing Review Applications is thirty days. The review applicant instead of filing Review Application within the prescribed period of thirty days, proceeded to file a Writ Petition in the High Court of Delhi and ultimately withdrew the petition which was dismissed as withdrawn on 10.7.2002 (A-3). The present Review Application has been

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filed nearly two months thereafter on 9.9.2002. Clearly, the present Review Application has been filed after a delay of six months. Even after the Writ Petition was dismissed by the High Court, the review applicant has taken nearly two months to file this application. We have gone through the application filed by him for condonation of delay. The reasons given therein are the least convincing. We, therefore, hold that the present Review Application is barred by limitation and deserves to be rejected on that ground alone.

3. A perusal of the order passed by this Tribunal on 4.2.2002 shows that the various pleas advanced on behalf of the review applicant before the Tribunal were considered at length and a speaking and a reasoned order has been passed in the matter. The aforesaid order was passed orally in the open court. The review applicant cannot, in the circumstances, be allowed to raise the same issues once again by filing the present Review Application. He cannot also be allowed to raise altogether new issues in a Review Application.

4. After a careful consideration of the matter, we do not find any error apparent on the face of the record nor do we find any other justification which may require ~~reversal~~ of our order under Order XLVII Rule 1 of the CPC read with Section 22 (3) (f) of the Administrative Tribunals Act, 1985.

5. In the circumstances, the RA is rejected.

S.A.T. RIZVI

(S.A.T. RIZVI)
MEMBER (A)

Lakshmi Swaminathan

(MRS. LAKSHI SWAMINATHAN)
VICE CHAIRMAN (J)

/sunil/