

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

RA 77/2001 with
MA 297/2001 in
OA 32/1999

New Delhi this the 20th day of February, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)
Hon'ble Shri V.K. Majotra, Member (A)

1. Government of NCT of Delhi
through its Chief Secretary, 5, Sham Nath
Marg Delhi-110054.
2. Director of Education,
Directorate of Education,
Old Secretariat, Delhi-54.
3. Administrative Officer,
Establishment III Branch,
Directorate of Education,
Old Secretariat, Delhi-110054.

.. Review Applicants/
Respondents

VERSUS

Smt. Deepti Arora,
1654, Outram Lines, Kingsway Camp,
Delhi.

.. Respondent/
Original Applicant

O R D E R (By Circulation)

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

This Review Application has been filed by the respondents in OA 32/1999 which was disposed of by Tribunal's order dated 26.9.2000. They have stated that they have received copy of the order on 3.11.2000 and this R.A. has been filed on 3.1.2001. In MA 297/2001, the respondents have prayed for condonation of delay of (blank) days in filing the R.A. without even caring to specify the number of days they have delayed in filing the same. We, therefore, find no reasons to condone the delay in filing the R.A. which has been clearly filed much beyond the period of 30 days.

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2. Apart from the above, it is relevant to note that the Tribunal's order dated 26.9.2000 is an oral order passed in the presence of the learned counsel for the applicant and Shri R.K.Singh learned proxy counsel for Sh.A.K.Chopra learned counsel for the respondents who has also filed the present R.A. In the R.A. it has been stated that "it is clear from the notification dated 17.9.1993 that the counsel for the Respondents misguided this Hon'ble Tribunal by citing the amendment dated 27.2.1997 and ignored the amendment dated 17.9.1993..." When the case was heard, there was no reason why they could not have referred to the aforesaid Notification in which they now rely upon which has been published as far back as 17.9.1993. In the facts and circumstances of the case it cannot be stated that the respondents have "discovered the new material or evidence which was not within the knowledge" at the time when the oral order was passed. Accordingly, as none of the grounds taken by the R.A. fall within the provisions of Section 22(3)(f) of the Administrative Tribunals Act, 1985, read with the principles laid down in Order 47 Rule 1 CPC, R.A 77/2001 fails on merits.

3. In the result R.A.77/2001 with MA 297/2001 are rejected.

V.K.Majotra

(V.K.Majotra)
Member(A)

Lakshmi Swaminathan

(Smt.Lakshmi Swaminathan)
Vice Chairman(J)

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