CENTRAL ADMINISTRATIVE TRIBUNAL



Review Application No.400/2000 in Original Application No.2194/98.

Dated: 12/12/2000

CORAM: HON' BLE SMT. SHANTA SHASTRY, MEMBER(A)

Union of India and Others

Petitioner(Original Respondents)

V/s.

Suresh Singh

... Respondents
(Original Petitioner)

(ORDER)

A Review has been sought of the judgement dated 4/1/2000 in OA No.2194/98. The OA was allowed with a direction to the respondents to reengage the applicant therein immediately in the first available vacancy in the C-I category in preference to his juniors and outsiders and thereafter to consider him for regularisation.

- The review petitioners have also filed MA-2868/2000 to condone the delay in filing of the Review Application.
- 3. I have perused the reasons for the delay and the grounds advanced for review.
- 4. I find that there is a delay of about 5 and 1/2 months in filing the Review Application. It should have been filed within one month of the receipt of the judgement. The reasons given for the delay are not acceptable. The Review Petitioners were expected to be in possession of the full facts and record at the time of final hearing itself. This cannot be a ground for delay. Review petition deserves to be dismissed on this ground itself.

On merits also the grounds advanced amount to rearguing of the case. The review petitioner has filed a counter reply to strengthen the arguments, that too after the pronouncement of the judgement. It does not lie in the mouth of the petitioners to file such a reply belatedly now when they had failed to file it even after one year of notice before hearing and after it was clearly averred during the final hearing that no counter is being filed and the case would be argued without the same. Facts were not denied during the hearing. There is no convincing ground for review of the order dated 4/1/2000.

6. The Review Application as well as the Miscellaneous Application are dismissed as being devoid of merit.

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(SHANTA SHASTRY) MEMBER(A)