

Central Administrative Tribunal
Principal Bench, New Delhi.

RA-269/95
with
MAs-2508, 2509 & 2510/95 in
OA-463/94

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New Delhi this the 1st Day of ~~February~~ ^{March}, 1996.

Hon'ble Sh. B. K. Singh, Member (A)
Hon'ble Dr. A. Vedavalli, Member (J)

1. National Capital Territory of Delhi
(through its Chief Secretary)
5, Sham Nath Marg, Delhi-110 006.
2. The Director of Education,
Delhi State, Old Sectt.,
Delhi-110 006.
3. The Dy. Director of Education,
Distt. Central, Bala Road,
Darya Ganj, New Delhi-110 002.

Review Applicants

(through Sh. B.S. Gupta, advocate)

versus

Smt. Sunita,
W/o Sh. Mukesh Kumar,
R/o House No. 250, Gali No. 13,
Than Singh Nagar, Anand Parbat,
New Delhi-110 005.

Respondent in RA

(through Sh. B.L. Babbar, advocate)

ORDER

delivered by Hon'ble Sh. B. K. Singh, Member (A)

This review application No. 269/95 alongwith MAs-2508, 2509 & 2510/95 have been filed against the judgement/order in O.A. No. 463/94. The judgement was delivered by a D.B. comprising Hon'ble Mr. Justice S. K. Dhaon, the then Vice-Chairman and myself. The application was allowed and the impugned order of non-appointment of the applicant in the O.A. was quashed and set aside. The judgement was delivered on 25.11.94 and according to the version of the review applicant i.e. N.C.T. of Delhi a copy of the judgement was delivered to them on 21.12.94. The present review application was filed on 25.9.95.

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Rule 17 of the C.A.T. (Proceduro) Rules, 1987 sub-para(i) lays down : "No application for review shall be entertained unless it is filed within thirty days from the date of receipt of copy of the order sought to be reviewed." It is evident that this review application has been filed after 9 months from the date of delivery of the judgement. The additional-affidavit was filed on 16.1.96 since the previous affidavit filed on the subject did not show sufficient and reasonable cause for condonation of delay. In this additional-affidavit also the delay has not been satisfactorily explained. It refers to the movement of the file from one section to other and from one officer to the other and mentions the advice of the then standing counsel Sh. Surat Singh not to go in for a review. It is also stated that the orders have since been implemented and the applicant in the O.A. has been appointed. It has further been stated that the applicant has been granted appointment subject to the final out-come of the S.L.P. as and when filed by the Education Department in Hon'ble Supreme Court. The judgement is based on the interpretation given by a D.B. of the Tribunal and if the respondents have any grievance, they are at liberty to move an S.L.P. before the Hon'ble Supreme Court. No review is permissible for fresh hearing on the subject. Without entering into the merits of the R.A, we are not inclined to condono the delay since we do not find substantial and reasonable cause to do so.

A. Vedavalli
(Dr. A. Vedavalli) 13/96
M(J)

B. Singh
(B. Singh)
M(A)

/vv/

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