

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

RA No.43/96, MA 566/96 in OA No.2239/1994

New Delhi, this ^{19th} day of March, 1996

Hon'ble Shri B.K. Singh, Member(A)

Shri Nafe Singh
Dte. of Marketing & Inspection
Northern Region, 4/20, Asaf Ali Road,
New Delhi-2 .. Applicant

By Shri K.B.S.Rajan, Advocate

versus

Union of India, through

1. Secretary
M/Rural Development
Krishi Bhavan, New Delhi
2. Dy. Agricultural Marketing Adviser
Northern Region, Okhla, New Delhi
3. Shri R.C. Banerje
Dy. Agricultural Marketing Adviser
Northern Region, Okhla, New Delhi-2- .. Respondents

ORDER(in circulation)

This review application is filed against the order dated 10.10.95 in OA 2239/94, praying for the removal of following words appearing in page 5 of the order:

"There are concrete pleadings to show the misdemeanour or misbehaviour of the applicant with the lady workers"

2. Rule 17(i) of the CAT Procedure (Amendment) Rules, 1988 which came into effect from 24.10.88 clearly lays down that "No petition for review shall be entertained unless it is filed within 30 days from the date of order of the review is sought". The condonation petition does not contain any substantial/ reasonable cause for delay in filing this review application.

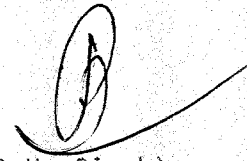
3. The judgement/order was delivered on 10.10.95 and the review application has been preferred on 28.2.96. In the application for condonation of delay it is stated that the

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applicant is in Faridabad and has been intermittently ill and therefore could not contact his counsel at Delhi. Faridabad though part of Haryana is a satellite town of Delhi and the applicant could have contacted his counsel on telephone for filing RA within time. This application has not been filed within the prescribed time limit and as such is liable to be dismissed on that ground alone.

4. Coming to the merit, the RA can be filed (i) when there is an error apparent on the face of record or (ii) when the applicant has come into possession of new and important piece of evidence or document which in spite of due diligence was not available with him at the time of hearing or when the order was made, or (iii) for any other analogous ground.

5. The above quoted words in para 5 of the order are based on the pleadings and evidence produced by the learned counsel for the respondents and thus these words can not be deleted. There is no provision for deletion of such observation from the judgement/order dated 10.10.95. The review application is liable to be dismissed on merit also because it does not fall within the four corners of order 47, rule 1 of CPC and accordingly the same is summarily rejected under order 47, rule 4(1) of CPC.



(B.K. Singh)
Member(A)

/gtv/