

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

RA No.95 of 1995  
in  
OA No.425 of 1994

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New Delhi, this the 12<sup>th</sup> day of October, 1995.

HON'BLE MR B.K.SINGH, MEMBER(A)

Shri I.C.Sood,  
R/O F-2/14, Model Town,  
Delhi-9.

2. Shri Balbir Singh Gupta,  
R/O A-1/9, Paschim Vihar, Delhi.

3. Shri V.P.Mishra, R/O 338,  
MIG, Pocket-C, Phase-III,  
Ashok Vihar, New Delhi.

4. Shri M.P.Singh,  
R/O 29 B, MIG,  
Pocket-C, Phase-III,  
Ashok Vihar, New Delhi.

5. Shri K.K.Dhawan,  
R/O 46, Delhi Administration Flats,  
Greater Kailash, Part-I,  
New Delhi-52.

6. Ms Sushma Jain,  
R/O AD/668, Shalimar Bagh,  
Delhi-52.

7. Shri O.P.Aggarwal,  
R/O A-2/23, Rajouri Garden,  
New Delhi.

8. Shri S.C.Gandhi,  
R/O 78-D, Pocket-A,  
DDA SFS Flats,  
Sukhdev Vihar, Delhi-55.

... .. Applicants.

(through Mr S.K.Gupta, proxy counsel for  
Mr B.S.Gupta).

vs.

1. Union of India  
through Secretary to the  
Govt. of India,  
Ministry of Human Resources,  
Development, Deptt. of Education  
New Delhi.
2. The Secretary,  
Ministry of Finance,  
North Block New Delhi.
3. The Chief Secretary,  
Govt. of National Capital,  
Territory of Delhi,  
Shamnath Marg, Delhi-54.

4. The Secretary (TE)  
Govt. of National Capital  
Territory of Delhi  
Directorate of Training and  
Technical Education  
Rouse Avenue, Delhi. (21)
5. The Principal,  
Delhi College of Engineering  
Kashmere Gate, Delhi. .... Respondents.  
( through Mr S.M.Rattanpal, Advocate)

ORDER  
(delivered by Hon'ble Mr B.K. Singh )

This Review Application No.95 of 1995 has been filed against the judgment and order in C.A.No. 425 of 1994 decided on 25.10.1994.

During the course of hearing on limitation, the learned counsel for the Respondents Mr Rattanpal argued that this is barred by limitation, since a copy of the judgment was received on 10th November, 1994. Rule 17 of the CAT(Procedure Rules), 1987 clearly lays down: "no petition for review shall be entertained unless it is filed within 30 days from the date of the order of which the review is sought."

The spirit of the Rule is absolutely clear and unambiguous. Statutory period prescribed by CAT(Procedure Rules) 1987 is 30 days and there has been a delay of nearly four months in filing the petition. The explanation given is a very cryptic one that the file had been moving from one department to the other including law Ministry to ascertain the views whether a review application should be preferred or not. In a case where the rules clearly lay down the law on limitation, the delay has to be satisfactorily explained. The Court cannot permit the applicant to claim exemption from the law of limitation unless specific grounds

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explaining the delay are clearly set out in the review application. I do not find any satisfactory explanation coming forth from the review applicants for the inordinate delay involved in filing the review application.

Since the grounds for exemption from limitation have not been specifically pleaded and whatever has been stated is vague and cryptic the exemption cannot be permitted. I do not find any material for condoning the delay in filing this review application and the same is dismissed in limini.

( B.V. Singh )  
Member (A)

/sds/