

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

R.A. No. 271 of 1997
M.A. No. 2652 of 1997
in
O.A. No. 2245 of 1996

(19)

New Delhi, dated 31st March,

1998

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

1. Man Singh,
S/o Shri Karam Singh,
B.M. Khallasi,
R/o 414-D, Railway Colony (100),
Saharanpur,
U.P.
2. Kismat Singh,
S/o Shri Ram Chander,
R/o 222-E, Railway Colony (100),
Saharanpur.
3. Balbir Singh,
S/o Shri Uttam Singh,
Fitter Khallasi,
R/o 417-F, Railway Colony (100),
Saharanpur. APPLICANTS

(By Advocate: Shri G.D. Bhandari)

VERSUS

1. Union of India through
the General Manager,
Northern Railway,
Baroda House,
New Delhi.
2. The Divl. Railway Manager,
Northern Railway,
Ambala Cantt. RESPONDENTS

(By Advocate: Shri R.L. Dhawan)

ORDER (By Circulation)

BY HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)

I have perused R.A. No. 271/97 seeking review of judgment dated 5.6.97 in O.A. No. 2245/96 Man Singh & Ors. Vs. UOI & Anr., together with M.A. No. 2652/97 for condonation of delay in filing the R.A.

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2. In the aforesaid M.A. it has been stated that pursuant to Para 4 of the impugned judgment dated 5.6.97, applicants submitted a representation to respondents, followed by another representation dated 22.9.97, to which there has been no response.

3. In other words on the one hand applicants have themselves acted in accordance with Para 4 of the impugned judgment dated 5.6.97, ^{which} on the other hand they are seeking review of the said judgment.

Applicants cannot on the one hand act in accordance with the impugned judgment, and thereafter, complaining that respondents have not responded to their representation, file an R.A. seeking review of that judgment using the inaction by respondents as a ground for condonation of delay.

4. If applicants have acted in accordance with the impugned judgment, but there is inaction on the part of respondents, an R.A. is not the appropriate remedy.

5. That apart none of the grounds contained in the R.A. bring it within the scope and ambit of Rule 22(3)(f) A.T. Act read with order 47 Rule 1 C.P.C. under which alone any judgment/decision/order of the Tribunal can be reviewed.

6. The R.A. is rejected.

Adige
(S.R. ADIGE)
VICE CHAIRMAN (A)

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