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**CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH**

R.A.NO.38/2001 in OA No.2179/96

Dated:22/3/2001

Coram:Hon'ble Shri Justice V.Rajagopala Reddy, Vice Chairman
Hon'ble Smt.Shanta Shastry, Member(A)

Union of India & Ors

... Review Applicant.

V/s.

Jitendra Kumar Deo

... Review Respondent

TRIBUNAL'S ORDER BY CIRCULATION

A review has been sought of the order dated 24/3/2000 in OA No.2179/96 by the Respondents in the aforesaid OA. The OA was allowed. The review application has been filed on 4/12/2000. The review applicant has also filed Miscellaneous Application seeking to condone the delay in filing of the review application. The applicant has tried to explain that the order dated 24/3/2000 was received in the Respondent's office on 8/5/2000 and the review applicant then approached the Government Counsel for taking action. However, the file as well as the copy of the order got misplaced in the Office of the Government Counsel. Therefore the Government Counsel applied for the entire paper book and the same could be received from the Registry of the Tribunal only on 7/11/2000. After receiving the certified copy of the order dated 24/3/2000, the review applicants have considered the same and have filed the review application. They feel that they have a very good prima facie case and if the delay in filing the Review Application is not condoned, then the Review Applicants would suffer irreparable loss and injury.

2. The review application has to be made within one month from the date of receipt of decision of the Tribunal. In this

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case it is seen that there has been a delay of almost seven months. Had the review applicants been really serious they would not have waited for six months to obtain the paper book and the order. They could have done so immediately when it was found that the file and the order had been misplaced in the Office of the Government Counsel.

We are unable to accept the explanation given for condonation of delay. Therefore the Review Application is rejected in circulation on the ground of limitation.

Shanta S

(SHANTA SHASTRY)
MEMBER(A)

V. Rajagopala Reddy

(V. RAJAGOPALA REDDY)
VICE CHAIRMAN

abp.