

Central Administrative Tribunal  
Principal Bench

R.A. No. 87 of 1999  
M.A. No. 726 of 1999  
in  
O.A. No. 655 of 1996

New Delhi, dated this the 13<sup>th</sup> MAY, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)  
Hon'ble Dr. A. Vedavalli, Member (J)

In the matter of

**Mohit J. Lal Vs. Commissioner of Police, Delhi &  
Ors.**

Govt. of NCT, Delhi & Ors. ... Review Applicants

Versus

Mohit J. Lal .. Rev. Respondent

ORDER (By Circulation)

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

Perused the R.A. seeking review of the  
Tribunal's order dated 17.10.96 in O.A. No.  
655/96.

2. At the outset it is noticed that the  
R.A. has been filed with great delay and is  
squarely hit by Rule 17(1) CAT (Procedure) Rules.  
M.A. No. 726/99 has been filed for condonation of  
delay in which respondents have referred to the  
contents of the aforesaid R.A. wherein the main  
ground taken is that after delivery of the impugned  
order dated 17.10.96 the Hon'ble Supreme Court  
delivered judgment in B.K. Beena's case 1996 (6)  
SCC 417 and M.Y. Miya's case 1997 (2) SCC 699 and  
the impugned order dated 17.10.96 may be reviewed  
in the light of the law laid down therein. Certain

121

16

cases have also been cited wherein the Tribunal had rejected the <sup>+</sup>payer for keeping the DE in abeyance till the disposal of the criminal case after holding that mere pendency of the criminal case would not in itself provide a sufficient ground for keeping the DE in abeyance.

3. We note that the impugned order dated 17.10.96 was a consent order dictated in open court in the presence of and with the agreement of both parties. In case any rulings on the subject, which the Review Applicant now rely upon, were available on or before 17.10.96 the same should have been cited by the counsel when the case was heard on 17.10.96. Rulings which became available or came to Review Applicants' notice after 17.10.96 cannot be invoked by review applicants to seek review of the impugned order dated 17.10.96.

4. The grounds taken by review applicants do not bring this R.A. within the scope and ambit of Section 22(3) (f) A.T. Act read with Order 47 Rule 1 C.P.C. under which alone any order/decision of the Tribunal can be reviewed.

5. The R.A. is rejected.

  
(Dr. A. Vedavalli)  
Member (J)

/GK/

  
(S.R. Adige)  
Vice Chairman (A)