

Central Administrative Tribunal  
Principal Bench

RA 365/2000  
in  
OA 333/97,  
MA 2634/2000

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New Delhi this the 8th day of November, 2000

Hon'ble Shri S.R. Adige, Vice Chairman (A).  
Hon'ble Smt. Lakshmi Swaminathan, Member(J).

1. Shri Kamal Nayan,  
S/o Shri Chander Bhan Sharma,  
R/o 7-E/PWD Enquiry Quarter,  
Gulabi Bagh, Delhi-110007.
2. Shri Hari Kishan,  
S/o Shri Kanshi Ram,  
R/o H.No. 10, Vill. Mithapur,  
New Delhi-110044.

... Applicants.

Versus

1. Union of India through  
the Secretary,  
Ministry of Finance,  
Govt. of India, North Block,  
New Delhi.
2. Director General (Works),  
CPWD, Nirman Bhawan,  
New Delhi.
3. Superintending Engineer,  
(Coordination Circle (Electt.)),  
401-A, I.P. Bhawan,  
New Delhi.

... Respondents.

O R D E R (By Circulation)

Hon'ble Smt. Lakshmi Swaminathan, Member(J).

RA 365/2000 with MA 2634/2000 for condonation of delay has been filed by the applicants praying for review of the Tribunal's order dated 06.1.2000 in MA 2018/98 in OA 333/97.

2. Paragraphs 3 and 4 of the order dated 6.1.2000 read as follows:

"3. We note the statement of Respondents in their reply to M.A. No. 2018/98 that appointments would be made from the select list in accordance with seniority, after the decision of the vigilance

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enquiry in the case is conveyed to them, and when the ban on direct recruitment is lifted.

4. Applicants have not established that after the orders dated 13.11.97 were passed, any one with higher position in the select list has been appointed as Khalasi (Elect.) in the C.P.W.D. Coordination Circle, I.P. Bhawan, New Delhi by ignoring their own claims, to warrant any further directions to respondents at this stage".

3. In the Review Application, the respondents have submitted that the Tribunal did not consider the fact that the respondents have failed to appoint the applicants on the post of Khalasi (Elect.) despite the availability of vacancies with the respondents. They have also referred to the applicants who figured at Serial No. 53 and 69 in the select list and have submitted that 53 candidates out of the 84 in the select list have already been appointed. They have, however, nowhere stated that after the Tribunal's order dated 13.11.1997, the respondents have appointed any person from the select list as Khalasi (Elect.) ignoring their own claims. In the Review Application, they have again prayed that time bound directions may be given to the respondents to comply with the order dated 13.11.1997 in OA 333/97. In view of the fact that the applicants are merely reiterating the arguments which they have put forward in MA 2018/98 and as no grounds as provided in Order 47 Rule 1 CPC read with Section 22(3)(f) of the Administrative Tribunals Act, 1985, have been pointed out, the Review Application is liable to be dismissed on merits.

4. MA 2634/2000 praying for condonation of delay in filing the above Review Application does not also disclose any sufficient reasons. Apart from the fact that the applicants kept on waiting, anticipating favourable decision in their case and refer<sup>ence</sup> to the respondents' letter dated

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2.3.2000, we find no justification in condoning the delay in filing the Review Application which has been filed on 20.9.2000 praying for review of the order dated 6.1.2000.

5. In the above circumstances, RA 365/2000 with MA 2634/2000 stand rejected.



(Smt. Lakshmi Swaminathan)  
Member(J)



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

'SRD'