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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

RA NO. 185/2003 IN
MA NO. 1377/2003
OA NO. 2573/2000

This the 15th day of January, 2004

HON'BLE SH. KULDIP SINGH, MEMBER (J)
HON'BLE SH. S.K. NAIK, MEMBER (A)

Sh. Umesh Tewari, son of
Late Sh. Chandradeo Tewari,
R/o H.No. 711, Chiragdelhi,
New Delhi-110017.

(By Advocate: Sh. T.C. Aggarwal)

Versus

Union of India through

1. Secretary, Department of
Personnel & Training,
North Block, New Delhi-110001.
2. The Director,
Central Govt. Health Scheme,
Nirman Bhawan, New Delhi.
3. The Addl. Director (NZ),
Central Govt. Health Scheme,
New Rajinder Nagar,
Shankar Road,
New Delhi-110060.
4. The Under Secretary,
Department of Personnel & Training,
Room No.331, 3rd Floor,
Lok Nayak Bhavan, Khan Market,
New Delhi.


(By Advocate: Sh. K.R. Sachdeva for Resp. No.1 & 4
Sh. Madhav Panikar for Resp. No.2 & 3)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

Counsel for applicant has filed RA seeking the review of the order passed in OA-2573/2000 dated 12.2.2002. The review petition has been filed on 27.1.2003, i.e after almost 11 months of the passing of the order in the OA. Thus, apparently the review application is barred by time.

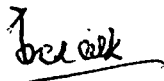
2. However, applicant has filed an application for condonation of delay also which is MA-1377/2003. The perusal

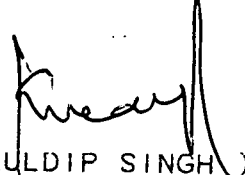


of the application for condonation of delay does not give us any sufficient cause for entertaining the review petition at this stage though applicant pleads that since he had been pursuing a wrong remedy for execution of orders through MA and could not file RA in time. So as per the judgment of Madan Lal Saini vs. Food Corporation of India the delay should be condoned and RA should be entertained.

3. In our view this contention of the applicant has no merits because the applicant does not explain as to how he was misled to pursue remedy by taking another proceeding in MA. Contentions as submitted in this application itself show that applicant was well aware of the alleged errors committed by the Tribunal though we are afraid to say that there is no error on the face of the record which calls for review of the order.

4. Thus, we find that there is no ground for condonation of delay. On the ground of limitation itself RA cannot be entertained and the same is dismissed. Accordingly, RA and well as MA are dismissed.


(S.K NAIK)
Member (A)


(KULDIP SINGH)
Member (J)

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