

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

R.A. 67/2002 IN  
OA NO. 81/2000

New Delhi, this the 02<sup>nd</sup> day of April, 2002

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN  
HON'BLE SHRI S.A.T. RIZVI, MEMBER (ADMN)

N. Kesavan,

... Applicant

Versus

CSIR & Ors

... Respondents

O R D E R (By Circulation)

The present RA seeks to recall the order dated 17.4.2001 passed by this Tribunal in OA No. 81/2000.

2. The aforesaid order was passed by this Tribunal in the absence of the applicant as none had appeared on his behalf in accordance with the provisions of rule 15 of the CAT (Procedure) Rules, 1987. The applicant's prayer was rejected as time barred as well as on merits.

3. A period of one month is prescribed for filing review petitions. The present RA has been filed belatedly on 15.2.2002. The application for condonation of delay, being MA No. 562/2002, filed on behalf of the applicant does not contain any good and sufficient reason in support of the applicant's plea. The fact that the applicant had, soon after the dismissal of the aforesaid OA, filed a restoration petition which is still pending, cannot be cited as a valid reason for condonation of delay. The other reason stated in the application for condonation of delay is also <sup>at</sup> least satisfactory. The fact that in a similar case the Tribunal had taken a different decision on 9.1.2002, i.e. nearly 8 months

an

after the OA in question had been disposed of, cannot also be cited as a valid reason in support of the application for condonation of delay. The present RA is, in the circumstances, badly hit by limitation and deserves to be rejected on that ground alone.

4. In the RA, the applicant has placed reliance on the judgements rendered by the Supreme Court in Smt. Renu Mallick vs. UOI & Ors ( 1994 (1) SCC 373 ) and Prabha Devi & Ors vs. UOI ( AIR 1998(2) SCC 233 ). The aforesaid judgements were available before the OA in question was disposed of by this Tribunal and, given due diligence the same could have been produced before this Tribunal in good time. Moreover, copies of the aforesaid judgements have not been enclosed. Similarly, a copy of the judgement rendered by this Tribunal on 9.1.2002 (OA No. 16/1999) referred to in para-2 above has also not been enclosed.


5. Insofar as the merit of the case is concerned, an attempt has been made by the applicant to re-argue the case by taking the very same ground which has already been considered by the Tribunal in its order of 17.4.2001.

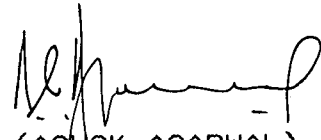
6. After a careful consideration of the matter, we do not find any error apparent on the face of the record nor do we find any other justification which might necessitate the review of our order under Order XLVII

*[Signature]*

Rule 1 of the CPC read with Section 22 (3) (f) of the Administrative Tribunals Act, 1985.

7. In the circumstances, the RA is rejected as time barred as well as on merits.

  
(S.A.T. RIZVI)  
MEMBER(A)

  
(ASHOK AGARWAL)  
CHAIRMAN

/pkr/