

CENTRAL

ADMINISTRATIVE
PRINCIPAL BENCH
DELHI.

TRIBUNAL



RA No.30/86 in
OA No.514/86

Dated: 31.10.86

Shri Husan Singh Petitioner

Vs.

Lt. Governor & Others Respondents

Coram

Shri Justice K. Madhava Reddy, Chairman
Shri Kaushal Kumar, Member

For the petitioner Petitioner in person.

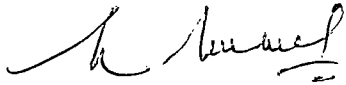
For the Respondents Sh.B.R.Prashar, counsel.


(Judgement of the Bench delivered by Shri
Justice K. Madhava Reddy, Chairman)

This is a petition to review our order dated 21.7.86. The petitioner contends that the original order was made on 30.10.82 and was endorsed to him on 4.11.82 . Merely because the order was endorsed to the petitioner on 4.11.82 the order does not become an order of 4.11.82. Even assuming that the order was of 4.11.82, petition under Section 19 of the Administrative Tribunals Act against that order should have been filed within six months of the constitution of the Tribunal. While that period expired on 30.4.86, OA No.514/86 which was dismissed by us on 21.7.86 was filed on 15.7.86. That is beyond six months of the Appointed Day. The application was, therefore, rightly dismissed as time-barred. There is no ground for reviewing our order.

2. The petitioner further states that subsequent to the order dated 4.11.82 he filed another mercy petition on 25.10.85 and that petition was rejected on 12.9.86. Against the order dated 12.9.86 so far no application under Section 19 of the Act has been filed. The fact that the mercy petition was filed on 12.9.86

subsequent to the disposal of OA No.514/86 cannot be a ground for reviewing our order dated 21.7.86. If on the basis of subsequent rejection the petitioner gets a fresh cause of action, he may move an application, if so advised, under Section 19 of the Act. If such a petition is filed, it will be considered on its own merits. We, however, express no opinion as to whether such an application lies and whether it could be entertained or not. Presently we do not find any reason to review our order dated 21.7.86 dismissing the application No.514/86 as time-barred. Review Petition is, therefore, dismissed.


(Kaushal Kumar)
Member 31.10.86


(K. Madhaya Reddy)
Chairman 31.10.86