

(14)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, DELHI.

M.P. No.2291/1990 in O.A. 848/1986 and
R.A. 127/90 in O.A. 848/1986.

DATE OF DECISION: *January 21, 1991*

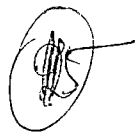
Shri Vishan Sarup V/s. Union of India

ORDER (dictated by Hon'ble Mr. P.C. Jain, Member (A).)

M.P. 2291/1990 and R.A. 127/90 have been filed in O.A. 848/1986 titled Shri Vishan Sarup Vs. Union of India. The said O.A. was disposed of by order dated February 22, 1990. The petitioner herein was the applicant in O.A. 848/1986. M.P. 2291/1990 is an application for condonation of delay in filing the Review Application under Section 22(3) of the Administrative Tribunals Act, 1985 read with rules 17 and 24 of the C.A.T. (P) Rules, on the ground that the period of thirty days be counted from the date of the receipt of the order by the petitioner. M.P. for condonation of delay in filing the R.A. is allowed.

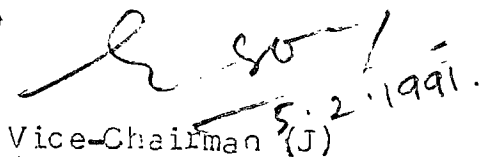
2. The petitioner has preferred the R.A. seeking review of the aforesaid order dated February 22, 1990 mainly on the ground that letter dated 30.4.85 issued by the office of Chief Engineer Delhi Zone, Delhi Cantt. which found reference in the judgment dated 22.2.1990, was placed by the learned counsel for respondents when counsel for the applicant was not in court, and as such, the applicant in the O.A. had no opportunity to oppose the filing of the said document. After going through the main file, we find that in their counter-affidavit, the learned counsel for the respondents had clearly mentioned that "The selection was cancelled on account of the fact that the proceedings of the board of officers based on which the selection was made by respondent, had been cancelled by Chief Engineer Delhi Zone Delhi Cantt-10 vide letter No.15247/102/EIB(S), dated 30 Apr 85 (attached at Annexure-I). As such the question of verification of

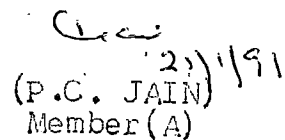
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Character Verification Rolls does not arise." As a copy of this order was not available on the court file, the learned counsel for the respondents placed a copy thereof at the time of arguments. In any case, the judgment does not suffer from an error apparent on the face of the record, nor the R.A. is based on discovery of any new material or evidence which was not within the knowledge of the party or could not be produced by him at the time the judgment was made. The R.A. does not contain any of the provisions of Order XLVII, Rule 1 of the Code of Civil Procedure, on the basis of which the judgment could be reviewed. There being no other sufficient reason, the R.A. merits rejection and the same is hereby rejected by circulation.

I agree


Vice-Chairman (J) 5.2.1991


(P.C. JAIN) 2.11.91
Member (A)