

(19)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI

R.A. 386/92 in O.A. 1562/87

Date: 16.12.92.

R.A. 385/92 in O.A. 1902/87

S.C.Anand

.. Applicant.

Versus

Union of India & others

.. Respondents.

These R.As. have been filed on 9.11.92/26.11.92. Clearly they have been filed after the expiry of 30 days, the period of limitation, after receipt of the copy of the judgement. The period of limitation actually started running when in presence of the applicant the judgement was dictated. But the applicant remained silent and did not obtain the copy of the judgement by himself and remained waiting at his address for the delivery of free copy of the judgement. From this point of view also the R.As. appear to be barred by limitation.

2. However, the awarding of cost or the interest is the discretion of the Bench which has delivered the judgement and not the right of a party. For awarding the interest the grounds as mentioned in terms of rule 17(ii) must remain present. As there is no finding of wilful neglect on the part of the respondents in paying the dues to the applicant, that is why this Bench choose not to order for cost or interest to the applicant. Moreover no application or affidavit has been filed by the applicant for condonation of this delay. In absence of any prayer for condonation of delay sufficient cost cannot be ascertained. On merits also this Review Application has no force. It is, therefore, dismissed without notice. Thus both the R.As. stands disposed of.

(I.K. RASGOTRA)
MEMBER (A)

23/12/92
Central Administrative Tribunal
Principal Bench, New Delhi

(RAM PAL SINGH)
VICE CHAIRMAN (J)