

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH: NEW DELHI.

RA No.41/88 in
CA No.306/88

19.5.88

Shri M.C.Agarwal Applicant

Vs.

Union of India & another Respondents

Coram: Hon'ble Mr. Justice K. Madhava Reddy, Chairman
Hon'ble Mr. Kaushal Kumar, Member

For the Applicant Applicant in person.

For the Respondents Shri M.L.Verma, Counsel.

This is an application to review our judgement dated 25.3.1988 in CA No.306/88. No error apparent on the face of the record has been brought to our notice. The applicant contends that the revisional petition filed by him should have been heard and disposed of on merits. When the revision was held to be time-barred, it was not obligatory upon the Revisional Authority to consider the revisional petition on merits. He also contends that the order dated 27.1.88 passed on his application for review of the order made on his revision petition saves CA No.306/88 from bar of limitation. On discussion of the facts of the case and the dates on which he preferred appeal and revision we held that since against the order imposing minor penalty, he did not move any Court including the High Court, that claim could not be agitated before the Tribunal for the first time. His contention that the order dated 27.1.88 brings CA No.306/88 filed under Section 19 of the Administrative Tribunals Act, 1985 within time was also dealt with in para 3 of our judgement. The review application against the order made on revision petition on 1.10.76 was filed on 26.4.1980. The Review Application under Rule 29-A of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 cannot be filed after a lapse of three years. While disposing of CA 306/88, we have held that even assuming that the order dated 27.1.88

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brings the Original Application within time, on merits we saw no reason to admit that application. No fresh material has been brought to our notice to change our view. This Review Application is accordingly dismissed.

kaushal kumar
(KAUSHAL KUMAR)

MEMBER

K. Madhava Reddy
(K. MADHAVA REDDY)

CHAIRMAN

19.5.88