

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

RA No.127/88
in OA No. 1344/88

Date of decision 4-5-89

Shri R.N. Kwatra

.....Petitioner

Vs.

Union of India

.....Respondents

For the Petitioner

.....In person

For the Respondents

.....Shri P.H. Ramchandani,
Sr. Counsel

CORAM:

THE HON'BLE MR. P.K. KARTHA, VICE CHAIRMAN(J)

THE HON'BLE MR. M.M. MATHUR, ADMINISTRATIVE MEMBER

1. Whether Reporters of local papers may be allowed to see the Judgment? *Yes*
2. To be referred to the Reporters or not? *No*

JUDGMENT

(The Judgment of the Bench delivered by Hon'ble Mr. P.K. Kartha, Vice Chairman(J))

The Review Petition has been filed by the original applicant praying that the Tribunal may review its judgment dated 7.9.1988 on the ground that there are mistakes and errors apparent on the face of record.

2. The respondents have filed their counter affidavit and the applicant has filed his rejoinder. The petition came up for admission on 24.5.89. We have heard the applicant in person and the learned counsel of the respondents.

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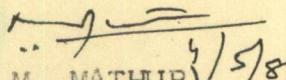
3. In our judgment dated 7.9.1988, we had referred to the main grievance of the original applicant relating to the non-holding of the DPC for 5 years from 1975 to 1978 and his belated promotion in 1980. He had preferred an appeal on 30th September, 1980, which was replied to by the respondents on 22nd August, 1981. He Subsequently represented one after another. In our judgment dated 7.9.88, we held that these successive representations would not enlarge the period of limitation. We also refer^{red on} to the reply dated 3rd September, 1983 sent by the respondents stating that no new grounds have been taken by the applicant in his representation. In our opinion, the point of limitation would start from 3rd September, 1983. On that ground, we held that the application was barred by limitation in view of the provisions of Section 21 of the Administrative Tribunals Act.

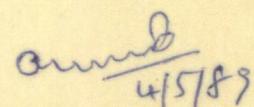
4. In the present petition, the petitioner has stated that his last representation dated 1.4.1987 was considered by the respondents and a reply was sent to him on 20th July, 1987. He contends that 20th July, 1987 should be taken as the starting point of the limitation and in view of the matter, his original application was not belated.

5. On going through the petition, we do not see any error apparent on the face of the record. In case the petitioner was aggrieved with our judgment dated 7.9.88, the

proper course for him would have been to prefer an appeal in the Supreme Court against our judgment. The applicant has also not brought to our notice any new fact warranting a review of our judgment.

6. In the circumstances, we see no merit in the present petition and the same is rejected. The parties will bear their own costs.


(M.M. MATHUR) 3/5/85
MEMBER (A)


4/5/85
(P.K. KARTHA)
VICE CHAIRMAN (J)