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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL

PRINCIPAL BENCH: NEW DELHI

RA NO.144/91 IN
OA NO.609/88

4.10.91
DATE OF DECISION: 3-10-91

SHRI ROHITASWA KUMAR

...APPLICANT

VERSUS

UNION OF INDIA & OTHERS

...RESPONDENTS

CORAM:

THE HON'BLE MR. I.K. RASGOTRA, MEMBER (A)

THE HON'BLE MR. J.P. SHARMA, MEMBER (J)

O R D E R

Review Application (RA) No.144/91 has been filed on 21.8.91, seeking review of our judgement in OA-609/88 decided on 30.4.1991. RA is accompanied by a Miscellaneous Petition No.2389/91 praying for condonation of delay in filing the R.A., duly supported by an affidavit.

The main grounds seeking the review of the judgement are that the applicant in the main O.A. had never submitted unconditional resignation as contended by the respondents. The two letters dated 27.3.91 and 11.4.91 are now stated to be "factually incorrect, false and outcome of a conspiracy to get rid of the petitioner. The word unconditional in letter submitted by the respondent before the Hon'ble Tribunal is forged."

The above contention is sought to be supplemented by the representations made by the applicant when he came to know that he had allegedly resigned from service unconditionally vide his letter dated 27.3.91.

In the MP No.2389/91 it has been submitted that the applicant first came to know about the disposal of the OA through his counsel Shri P.L. Mimroth on 12.7.91 when he

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obtained a certified copy of the said order on 28.7.91. Thereafter he immediately initiated action for filing a Review Application.

In the circumstances, the applicant has prayed that the delay in filing the RA be condoned.

We have considered the submissions made by the applicant, seeking review of our judgement dated 30.4.1991. The matter was heard in the presence of the counsel for the applicant, Shri P.L. Mimroth, as admitted by the applicant in MP-2389/91. We also find from the record of the Registry that a copy of the judgement was sent to Shri Rohitaswa Kumar on 13.5.1991.

Accordingly, we are not satisfied by the reasons given for the delay in filing the R.A. besides there is no error apparent on the face of record and there are no grounds for seeking the review of the said judgement. If indeed there is any forgery in the letters dated 27.3.91 and 11.4.91 the applicant should pursue the matter, as advised, in the proper forum. The R.A. is accordingly rejected both being as time barred and ^mmerits. *h*

J. P. Sharma
(J.P. SHARMA)

MEMBER (J)

I. K. Rasgotra
(I.K. RASGOTRA)

MEMBER (A)

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